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Laws relative to quarantine

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L A W S
RELATIVE TO
QUARANTINE
IN THE
PORT OF NEW YORK.

COMPILED UNDER THE DIRECTION OF THE
COMMISSIONERS OF QUARANTINE.

NEW YORK.
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EXPLANATORY NOTE.

The following compilation is designed to present, in a form convenient for use and reference, such of the existing laws relative to Quarantine in the Port of New York as are necessary to guide the quarantine authorities in the discharge of their duties. It embraces the general Quarantine Act of April 29th, 1863, as amended in 1864, 1865 and 1867, and the special Acts of April 21st, 1866 and April 22d, 1867, together with portions of the Appropriation Acts of 1868 and 1870, and all legislation relating to the quarantine establishment (except the appropriations for salaries of Commissioners of Quarantine for 1871, 1872, and for 1875 to 1880) from 1871 to 1880 inclusive.

NEW YORK, *May* 15, 1880.

Commissioners of Quarantine.

THOMAS C. PLATT.

DAVID W. JUDD. JOHN A. NICHOLS.

THOMAS C. PLATT, PRESIDENT.

DAVID W. JUDD, TREASURER.

KNOX MCAFEE, SECRETARY OF THE BOARD.

FRANK B. MUNSELL, SUPT. OF QUARANTINE.

OFFICE OF THE COMMISSIONERS :

NO. 82 BROADWAY, N. Y. C.

HEALTH OFFICER OF THE PORT OF NEW YORK :

WILLIAM M. SMITH, M. D.

HEALTH OFFICER'S RESIDENCE :

CLIFTON, S. I., N. Y.

CHAPTER 358.

AN ACT,

ESTABLISHING A QUARANTINE, AND DEFINING THE QUALIFICATIONS, DUTIES AND POWERS OF THE HEALTH OFFICER FOR THE HARBOR AND PORT OF NEW YORK.

Passed April 29, 1863 ; three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

SECTION 1. Quarantine for the protection of the public health according to the provisions of this Act, is hereby authorized, required and established in and for the Port of New York, for all vessels, their crews, passengers, equipage, cargoes and other property, on board the same, arriving thereat from other ports.

THE QUARANTINE ESTABLISHMENT.

§ 2. The Quarantine establishment shall consist of : first, warehouses, wet docks and wharves ; second, anchorage for vessels ; third, floating hospital ; fourth, boarding station ; fifth, burying ground ; sixth, residence for officers and men.

WAREHOUSES, WET DOCKS AND WHARVES.

§ 3. The warehouses, wet docks and wharves, together with appropriate appurtenances for unloading and storing cargoes, and such facilities as will enable merchants to overhaul and refit vessels while in quarantine, shall be constructed at such expense, and in such place in the lower bay of New York, not on Staten Island, Long Island, or Coney Island, as the Quarantine Commissioners may determine, with the approval of the Commissioners of the Land Office.

§ 4. The warehouses shall be of such capacity only as will secure the best natural ventilation consistent with security for merchandise, but in the aggregate they shall be of a capacity equal to the storage of fifty medium-sized cargoes; and they shall have connected with them apartments with suitable appliances for special disinfection by forced ventilation, refrigeration, high steam, dry heat and chemical disinfection.

§ 5. The wharves shall be constructed with due regard to safety and protection for vessels, and sufficiently extensive to admit of the safe moorage of at least four vessels of the largest size at the same time. There shall be two wet docks, each one capable of admitting a ship of the largest size.

ANCHORAGE.

§ 6. The anchorage for vessels under quarantine

shall be in the lower bay, distant not less than two miles from the nearest shore, and within an area to be designated by buoys by the Quarantine Commissioners and Health Officer.

FLOATING HOSPITAL.

§ 7. The Floating Hospital shall be constructed with special reference to the purposes of a hospital, and with a capacity sufficient to accommodate one hundred patients. From the first day of May, to the first day of November, that Floating Hospital shall be anchored in the lower bay, *not less than two miles distant from the nearest portion of the quarantine anchorage*, and from the nearest shore. From the first day of November to the first day of May, the Floating Hospital may be moored at the quarantine wharves, or other secure place, subject to the discretion of the Commissioners of Quarantine.

BOARDING STATION.

§ 8. The boarding station for vessels from any place where disease subject to quarantine existed at the time of their departure, or which shall have stopped at any such place on their voyage, or on board of which, during the voyage, any case of such disease shall have occurred, arriving between the first day of April and the first day of November, shall be in the lower bay

below the Narrows, and consist of the vessel at present used as a Floating Hospital, or such other vessel as may hereafter be provided, to be anchored in such proximity to the Floating Hospital and the channel as will afford the greatest despatch in boarding and directing vessels as soon as practicable after their arrival ; and said station shall be provided with all necessary appurtenances for personal cleanliness and the purification of personal baggage; and all such vessels, immediately on their arrival, shall anchor near such boarding station, within the quarantine anchorage, specified in section six of this Act, and there remain, with all persons arriving thereon, subject to the provisions of this Act and of the Act hereby amended.*

WHAT VESSELS SUBJECT TO QUARANTINE.

§ 9. Vessels arriving at the port of New York shall be subject to quarantine as follows: 1st. All vessels from any place where disease, subject to quarantine, existed at the time of their departure, or which shall have arrived at any such place, and proceeded thence to New York, or on board of which during the voyage, any case of such disease shall have occurred, arriving between the first day of April and the first day of November, shall remain at quarantine for at least thirty

* As amended by Sec. 1 of Chap. 592 of the Laws of 1865.

days after their arrival, and at least twenty days after their cargo shall have been discharged, and shall perform such and further quarantine as the Quarantine Commissioners may prescribe, unless the Health Officer, with the approval of the Quarantine Commissioners shall sooner grant a permit for said vessel or cargo, or both to proceed. 2d. From any place (including islands) in Asia, Africa, or the Mediterranean, or from any of the West Indies, Bahama, Bermuda, or Western Islands, or from any place in America, in the ordinary passage from which they pass south of Cape Henlopen, and all vessels on board of which, during the voyage, or while at the port of their departure, any person shall have been sick, arriving between the first day of April and the first day of November, and all vessels from a foreign port, not embraced in the first subdivision of this section, shall, on their arrival at the quarantine ground, be subject to visitation by the Health Officer, but shall not be detained beyond the time requisite for due examination and observation, unless they shall have had on board, during the voyage, some case of quarantinable disease, in which case they shall be subject to such quarantine and regulations as the Health Officer and the Quarantine Commissioners may prescribe. 3d. All vessels embraced in the foregoing provisions, which are navigated by steam, shall be subject only to such length of quarantine and regulations as the Health Officer shall en-

join, unless they shall have had on board during the voyage some case of quarantinable disease, in which case they shall be subject to such quarantine as the Health Officer and the Quarantine Commissioners shall prescribe.

VACCINATION.

§ 10. Persons with insufficient evidence of effective vaccination, and known to have been recently exposed to small pox, shall be vaccinated as soon as practicable, and detained until the vacinia shall have taken effect. No other well persons shall be detained in quarantine any longer than necessary to secure cleanliness. Such vaccination and disposal of persons vaccinated shall be made under regulations to be fixed by the Quarantine Commissioners and Health Officer. Persons having small-pox shall be disposed of in the same manner as is done under existing laws.

WHAT DISEASES ARE QUARANTINABLE.

§ 11. The only disease against which quarantine shall apply are, yellow fever, cholera, typhus or ship fever, and small-pox, and any new disease not now known, of a contagious, infectious or pestilential nature, at the discretion of the Quarantine Commissioners and Health Officer.

CLASSES OF MERCHANDISE SUBJECT TO QUARANTINE.

§ 12. For the purpose of sanitary measures, merchandise shall be arranged in three classes :

1. Merchandise to be submitted to an obligatory quarantine and to purification.
2. Merchandise subject to an optional quarantine ; and,
3. Merchandise exempt from quarantine.

The first class comprises clothing, personal baggage and dunnage, rags, paper rags, hides, skins, feathers, hair, and all other remains of animals, cotton hemp and woollens. The second class comprehends sugar, silks, and linen and cattle. The third class comprehends all merchandise not enumerated in the other two classes.

MERCHANDISE—HOW DISPOSED OF.

§ 13. With existing quarantinable disease on board, or if there have been any such disease on board within the ten days last preceding, merchandise of the first class shall be landed at the quarantine warehouse. Merchandise of the second class may be admitted to pratique immediately, or transferred to the warehouses, according to circumstances, at the option of the Health Officer, with due regard to the sanitary conditions of the port. Merchandise of the third

class shall be declared free, and admitted without unnecessary delay.

LETTERS AND PAPERS—PURIFICATION OF.

§ 14. In all cases where there has been quarantinable disease on board during the voyage, letters and papers shall be submitted to the usual purifications; but with such precautions as not to affect their legibility; articles of merchandise or other things not subject to purifying measures in an envelope officially sealed, shall be immediately admitted to pratique, whatever may be the condition of the vessel; and if the envelope is of a substance considered as optional, its admission shall be equally optional.

DETENTION OF VESSELS AND CARGOES.

§ 15. If a vessel, though not having had during the voyage any case of quarantinable disease, yet be found in a condition which the Health Officer shall deem dangerous to the public health, the vessel and cargo shall be detained until the case shall have been considered; the decision of the Health Officer, however, in all such cases shall be rendered within twenty-four hours. Vessels in an unhealthy state, whether there has been sickness on board or not, shall not be allowed pratique until they shall have been broken out, duly cleansed and ventilated.

SANITARY MEASURES—WHAT KIND MAY BE RESORTED TO.

§ 16. If, in the judgment of the Health Officer, a vessel require it, he may order the following sanitary measures : Baths and other bodily care for the person ; washing or other disinfecting means for clothing ; displacement of merchandise on board, or complete breaking out ; subjection to high steam, incineration, or submersion at a distance below the surface of the water, for infected articles ; the destruction of tainted or spoiled food or beverages ; the complete ejection of water ; thorough cleansing of the hold, and the disinfection of the well. In short, the complete purification of the vessel in all her parts, by the use of steam, fumigation, force-pumps, rubbing or scraping, and finally sending to quarantine anchorage until disinfection be perfected. Whenever these divers operations are necessary, they shall always be executed before admission to pratique.

ADMISSION OF VESSELS TO PRATIQUE.

§ 17. Admission to pratique shall be preceded by as many visits to the vessel as the Health Officer may judge necessary.

RESTRICTION ON PUTTING VESSELS IN QUARANTINE.

§ 18. No vessel shall be put in quarantine without

a stated decision of the Health Officer, and the captain or master of the vessel shall be informed thereof immediately after his decision, and no vessel subject to quarantine shall depart therefrom without the written permission of the Health Officer, and such permit shall be delivered by the master of the vessel to the Mayor of the City of New York, or the Mayor of the City of Brooklyn, according to the destination of such vessel, within twenty-four hours after said permit shall be received by said master.*

VESSELS MAY PUT TO SEA—WHEN.

§ 19. A vessel shall have the right, before breaking bulk, of putting to sea in preference to being quarantined; in the exercise of this right, if the vessel have not arrived at her port of destination, the bill of health shall be returned; the Health Officer, however, shall mention upon said bill the length and circumstances of the detention, and the condition of the vessel upon re-putting to sea; but before the exercise of this right, the Health Officer must satisfy himself that the sick of such vessel will be taken care of for the remainder of the voyage, and take care of such sick as prefer to remain.

* As amended by Sec. 2 of Chap. 592 of the Laws of 1865.

INFECTED VESSELS—MEASURES TO BE ADOPTED ON THEIR
ARRIVAL.

§ 20. On arrival of infected vessels, all well persons shall have their freedom as soon as possible, consistently with the foregoing regulations ; sick persons shall be immediately transferred to the floating hospital, or other hospitals appropriated for their reception, and the vessel unladen, purified and admitted to pratique as soon as possible. All merchandise shall be placed in the warehouses, and there freely exposed to the air, and moved from time to time to insure its perfect ventilation. In no case shall persons sick with different diseases be put in the same hospital.

DISPOSITION OF MERCHANDISE.

§ 21. Merchandise coming from different vessels and places, and at different times in quarantine, shall be kept separate and placed as much as practicable in different warehouses.

PURIFICATION OF MERCHANDISE.

§ 22. Merchandise shall be submitted to such measures of purification as the Health Officer shall judge necessary ; no putrefied animal substances, or substances likely to putrefy, shall be admitted into

the warehouses; all such substances shall be rendered innoxious or destroyed.

PURIFICATION OF CLOTHES, ETC.

§ 23. The clothes and dunnage contaminated with infection of different diseases shall be purified in different places.

YELLOW FEVER, TYPHUS OR SHIP FEVER, SMALL-POX, AND CHOLERA.

§ 24. The Floating Hospital shall, from the first day of April to the first day of November, be appropriated exclusively to the care of persons sick with yellow fever; from the first day of November to the first day of April, the Floating Hospital may be used for the care of typhus or ship fever; and, until permanent provision shall be otherwise made by law, small-pox patients shall be sent to, and supported, as at present, at Blackwell's Island; and typhus or ship fever patients shall be sent to, and supported, as at present, at Ward's Island; and cholera patients shall be provided for by the Commissioners of Quarantine, in such manner as they may determine, and occasion shall demand.

HEALTH OFFICER—HOW APPOINTED.

§ 25. A Health Officer for the Port of New York

shall be nominated by the Governor, and appointed by him, with the consent of the Senate, and shall hold his office for the term of two years, and until a successor in such office shall be duly qualified; provided, however, that no one shall be appointed a Health Officer except a doctor of medicine, of good standing, and of at least ten years' experience in the practice of his profession, and who shall also be practically familiar with the diseases subject, by this Act, to quarantine; nothing in this section contained shall authorize the Governor to appoint a Health Officer during the recess of the Senate, except in case of a vacancy by death or resignation.

DUTIES OF HEALTH OFFICER.

§ 26. It shall be the duty of the Health Officer to reside at such convenient place for the boarding of vessels as the Commissioners of Quarantine may determine, and to have the general superintendence and control of the quarantine establishment, and the care and treatment of the sick, and to carry out all the provisions of this Act. And he shall have power

TO ADMINISTER OATHS.

1. To administer oaths and take affidavits in all examinations prescribed by this Act, and in relation to any alleged violation of quarantine law or regula-

tion; such oaths to have the like validity and effect as oaths administered by a commissioner of deeds.

POLICE.

2. At all times to call upon the police force of the Metropolitan Police District to a number not exceeding ten, to aid him upon any necessary emergency in enforcing the powers and duties conferred upon him by this Act; and it shall thereupon become the duty of any such member of the police force so called upon to obey him; but such service shall not continue longer than twenty-four hours.

ARREST AND PUNISHMENT OF OFFENDERS.

3. To direct, in writing, any constable or other citizen to pursue and apprehend any person who shall violate any quarantine law or regulation, or who shall obstruct the Health Officer in the performance of his duty, and deliver him over to the said officer, to be detained at quarantine until discharged by such officer, but such confinement shall in no case exceed ten days; and it shall be the duty of the constable or other citizen so directed to obey such directions; and every person violating the quarantine laws or regulations, or obstructing the Health Officer, shall be considered guilty of a misdemeanor, punishable by a fine of not less than one hundred, nor

more than five hundred dollars, or by imprisonment not less than three months, or more than six months.

MAY SELECT NURSES, ETC., AND LICENSE LIGHTERMEN, ETC.

4. To select, and appoint, and dismiss at pleasure, as many nurses, boatmen and other employees of the Floating Hospital and boarding station as may be found necessary for the care and proper treatment of the inmates thereof; and also, and in conjunction with the Quarantine Commissioners, to license lightermen, stevedores, laborers and other employees, as may be found necessary for the care and purification of vessels, merchandise, baggage, dunnage, &c., in quarantine; but the compensation of all persons so employed shall be fixed and determined by the Commissioners of Quarantine.*

HIS DEPUTIES.

5. To select, appoint and dismiss at pleasure, two Assistant or Deputy Health Officers, for whose conduct he shall be responsible, and who may perform, subject to his direction, all the duties required of the Health Officer.

* Modified by Chap. 492, Laws of 1870. See P. 59.

OATH OF OFFICE.

§ 27. It shall be the duty of the Health Officer, and his assistants and deputies—

1. To take and subscribe the oath of office prescribed in article twelve of the Constitution of the State of New York.

BOARDING VESSELS.

2. To board every vessel subject to quarantine or visitation by him, as soon as practicable after her arrival, between sunrise and sunset ; to inquire as to the health of all persons on board, and the condition of the vessel and cargo, by inspection of the bill of health, manifest, log-book, or otherwise ; to examine, on oath, as many and such persons on board as he may judge expedient to enable him to determine the period of quarantine and the regulations to which such vessel and her cargo shall be made subject ; and to report the facts and his conclusions, and especially to report the number of persons sick, and the nature of the disease with which they are afflicted, to the Quarantine Commissioners.*

*As amended by Sec. 4 of Chap. 592 of the Laws of 1865.

BURIAL OF DECEASED PERSONS.

3. To exercise dispatch in the disposal of persons arriving in infected vessels, to have the bodies of persons who have died of malignant diseases on board of infected vessels arriving, and such as shall have died in the Floating Hospital, interred in the quarantine burying ground near Seguine's point; and to proceed, without delay, in the purification of vessels, merchandise, baggage, dunnage, and other articles in quarantine; and whenever he shall judge the same free from infection, to permit the removal thereof. No vessel or cargo, however, that has been in quarantine, shall be permitted to proceed to New York or Brooklyn without the approval of the Mayor or Board of Health of those cities respectively.

EFFECTS OF DECEASED PERSONS.

4. To secure the effects of deceased persons, in quarantine, from waste and embezzlement, and make a true inventory thereof, and when the rightful claimants of such effects do not appear within three months, to deliver the same, with such inventory, to the Public Administrator of the City of New York, unless the said property be of such description as ought not to be removed or may be destroyed under the provisions of this Act.*

*As amended by Sec. 5 of Chap. 592 of the Laws of 1865.

5. To keep the Boards of Health of New York and Brooklyn at all times informed of the number of vessels in quarantine, of the number of persons sick in the Floating Hospital, and of the diseases with which they are afflicted.

6. To receive any vessel or merchandise sent to him by the health authorities of New York or Brooklyn, dangerous to the public health.

CASES OF YELLOW FEVER.

7. To receive into the Floating Hospital any case of yellow fever that shall have been contracted in quarantine establishment or elsewhere.

YELLOW FLAG.

8. To have all vessels, warehouses and merchandise in quarantine designated by a yellow flag; and to prohibit communication with, or passage within range of, such vessels and places, except under such restrictions as he may designate as being compatible with safety.

SPECIAL POWERS OF THE HEALTH OFFICER TO EMPLOY ASSISTANCE.

§ 28. Whenever the Health Officer, in the perform-

ance of his duties, and in the execution of the powers imposed and conferred upon him by law, or by any regulation or ordinance made in pursuance of any statute of this State, shall order or direct the master, owner or consignee of any vessel subject to quarantine to do any act or thing, or comply with any regulation, relative to said vessel, or to any person or thing on board thereof, and said master, owner or consignee shall neglect or refuse to comply with such order or direction, the said Health Officer shall have power to employ such persons and assistance as may be necessary to carry out and enforce such order and direction, and the persons so employed shall have a lien on such vessel, her tackle, apparel and furniture, for their services and expenses.

LIGHTERMEN MAY BE EMPLOYED BY CAPTAINS OR OWNERS.
HOW.

§ 29. The Health Officer, in the lighterage, stevedorage and storage of vessels and merchandise in quarantine, may permit the captains and owners to employ lighterage and men on their own account; all persons so employed, however, shall be subject to the same restrictions for the protection of the public health as those who may be licensed for the same services by the Health Officer and Commissioners.

WHAT EXPENSES AND SERVICES TO BE PAID FOR BY MASTERS OF VESSELS AND OTHERS.

§ 30. Whenever any expense shall be incurred by the Health Officer, or whenever any services shall be rendered by him or his employees in the discharge of the duties imposed upon him by law, in relation to vessels, merchandise, baggage, dunnage, persons or burials under quarantine, such expenses and services shall be paid for, to the Health Officer, by the masters of the vessels for which such expenses shall have been incurred or the services shall have been rendered, or in which the merchandise, baggage, dunnage and persons shall have arrived. Persons conveyed to or from the quarantine establishment in the steamboat hereinafter mentioned shall pay the Health Officer for such transportation individually, except in cases where they shall be conveyed for the master of a vessel, in which case the master shall pay for the same. The storage of all merchandise in the quarantine warehouses shall be paid for by the owners or consignees to the Quarantine Commissioners on delivery, and the use of the wet dock for overhauling and repairing vessels shall be paid for to said Commissioners, by the captains or owners of the vessels using them. The charges for each and all of said services, in this section mentioned, and storage, and the use of said wet docks, shall be fixed and determined upon by said Commissioners. And nothing

in this section contained shall, in any manner, impair or reduce the liability and duty of the said Health Officer to pay the salaries, wages and expenses imposed upon him by the fifty-third section of the Act hereby amended.*

EXPENSES AND SERVICES—HOW COLLECTED.

§ 31. The expenses, services and charges specified in the last preceding section shall be a lien on the vessels, merchandise, or other property, in relation to which such expenses and charges shall have been made, or such services shall have been rendered; and it shall be the duty of the Health Officer to render an account, payable to the Quarantine Commissioners, to all masters, owners or consignees, liable to pay any charges to said Commissioners, according to the provisions of said section, as soon as practicable, after such liability shall have accrued; and if such master, owner or consignee shall omit to pay the same within three days after said account shall have been rendered, said Commissioners may proceed to enforce said lien, or they may have and maintain an action against the master, owners, or consignees of

*As amended by Sec. 6 of Chap. 592 of the Laws of 1865.

such vessel, or the owners or consignees of such merchandise or property, and each and every one of them, to recover the amount of such expenses, services and charges ; and the Health Officer shall have the like remedy as is given to said Commissioners to recover for any expenses or services which are made payable to him, according to the provisions of said section, in case the same shall remain unpaid for the period of three days after the payment thereof shall have been demanded by him. In the case of passengers, however, for whom expenses shall have been incurred under quarantine, the master of the vessel in which such passengers arrived may recover from them the amount of the expenses incurred on their account. And until all the expenses, services and charges specified in said last preceding section, and for which a lien is created by this section, shall be paid, the vessel, cargo, and other property shall be held in quarantine ; provided, however, that such vessel, cargo, or other property, shall not be held in quarantine for non-payment thereof, if the master, owner or consignee thereof shall execute and deliver to the said Commissioners of Quarantine, a bond, with sufficient sureties, to be approved by them, conditioned for the payment of such expenses, charges and services within ten days thereafter.*

*As amended by Sec. 7 of Chap. 592 of the Laws of 1865.

DUTIES AND LIABILITIES OF MASTERS OF VESSELS.

§ 32. Every master of a vessel subject to visitation by the Health Officer, who shall refuse or neglect either :

1. To proceed with, and anchor his vessel at the place assigned at the time of his arrival; or,

2. To submit his vessel, cargo, crew and passengers to the examination of the Health Officer, and to furnish all necessary information to enable that officer to determine to what measures they ought respectively to be subject; or,

3. To remain with his vessel at quarantine during the period assigned by the Health Officer, and, while at quarantine, to comply with the directions and regulations prescribed by law, and with such as any of the officers of health, by virtue of the authority given to them by law, shall prescribe in relation to his vessel, his cargo, himself, his crew or passengers, shall be guilty of a misdemeanor, and be punished by a fine not exceeding two thousand dollars, or by imprisonment not exceeding twelve months, or both by such fine and imprisonment.

§ 33. Every master of a vessel, hailed by a pilot, who shall either :

1. Give false information to such pilot, relative to

the condition of his vessel, crew or passengers, or the health of the place or places from whence he came, or refuse to give such information as shall be lawfully required ;

2. Or land any person from his vessel, or permit any person, except a pilot, to come on board of his vessel, or unlade or tranship any portion of his cargo before his vessel shall have been visited and examined by the Health Officer ;

3. Or shall approach with his vessel nearer to the City of New York or Brooklyn than the place of boarding or anchorage to which he may be directed, shall be guilty of the like offence, and be subject to the like punishment ; and any person who shall land from any vessel, or unlade or tranship any portion of her cargo, under like circumstances, shall be guilty of the like offence, and be subject to the like punishment.

OF THE DUTIES OF PILOTS IN RELATION TO VESSELS
SUBJECT TO QUARANTINE.

§ 34. It shall be the duty of each Branch and Deputy Pilot belonging to the port to use his utmost endeavors to hail every vessel he shall discover entering the port, and to interrogate the master of such vessel in reference to all matters necessary to enable

such pilot to determine whether, according to the provisions of the preceding sections, such vessel is subject to quarantine.

§ 35. If, from the answers obtained from such inquiries, it shall appear that such vessel came from a port where any quarantinable disease existed at the time of her departure, or that any case of such disease shall have occurred on board of her during the passage, the pilot shall immediately direct the master of the vessel to proceed and anchor such vessel at the quarantine anchorage in the lower bay. In other cases, of vessels liable to quarantine, he shall direct the masters thereof to proceed and anchor such vessels at such point as shall be assigned by the Quarantine Commissioners as an anchorage for such vessels ; provided, however, that the anchorage for such vessels shall be at least one-half mile distant from the shore of Long Island and Staten Island.*

OFFENCES AND THEIR PUNISHMENT.

§ 36. Any person, except a pilot, who shall go on board of, or have any communication or dealing with, any vessel hereinbefore declared subject to quarantine, before she shall be boarded and examined by

* As amended by Sec. 8 of Chap. 592 of the Laws of 1865.

the Health Officer, or while she is being examined by him, or who shall violate any provision of this Act, or shall neglect or refuse to comply with any direction or regulation which the Health Officer or the Commissioners of Quarantine may prescribe, by virtue of this Act, shall be guilty of a misdemeanor, and be punished by a fine of not less than one hundred dollars, nor more than five hundred dollars, or by imprisonment, not less than three nor more than six months, or by both such fine and imprisonment. And any person, except the master, owner or consignee of said vessel, who shall go on board of any such vessel after she shall have received from the Health Officer his permit to proceed from quarantine, and before such permit shall be delivered at the office of the Mayor of the City of New York or of the City of Brooklyn, shall be guilty of the like offence, and subject to the like punishment.*

DUTY OF HEALTH OFFICER IN PRESENCE OF IMMEDIATE
DANGER.

§ 37. It shall be the duty of the Health Officer, in the presence of immediate danger, to take the responsibility of applying such additional measures as may be deemed indispensable for the protection of the public health.

* As amended by Sec. 9 of Chap. 592 of the Laws of 1865.

APPEALS.

§ 38. Any person aggrieved by any decision or direction of the Health Officer, may appeal therefrom to the Commissioners of Quarantine, who shall constitute a Board of Appeal; the said board shall have power to affirm, reverse or modify the decision, order or direction appealed from, and the decision of said Board thereon shall be final.

§ 39. An appeal to the Board of Appeal must be made by serving upon the Health Officer a written notice of such appeal, within twelve hours (Sundays excepted), or within such further time as shall be allowed by the Commissioners of Quarantine, after the appellant receives notice of the order, decision or direction complained of. Within twelve hours after the Health Officer receives such notice (Sundays excepted), he shall make a return, in writing, including the facts on which his order, decision or direction was founded, to the President of the Board of Commissioners of Quarantine. Upon receipt of such return, or, in case no return shall be made within the time aforesaid, he shall immediately call a meeting of the Board of Appeal; and said appeal shall be heard and decided within twenty-four hours thereafter (Sundays excepted); and, until such decision be made, the order, decision or direction complained of, except it

refer to the detention of a vessel, her cargo or passengers, at quarantine, shall be suspended.* .

PENALTIES AND FORFEITURES.

§ 40. The penalties and forfeitures prescribed by this Act may be sued for and recovered, with costs of suit, by, and in the name of, the Commissioners of Quarantine, according to the provisions of "An Act concerning Passengers in Vessels coming to the City of New York," passed May fifth, eighteen hundred and forty-seven.

CUSTODIANS OF THE QUARANTINE ESTABLISHMENT AND THEIR POWERS.

§ 41. The Commissioners of Quarantine are hereby constituted the custodians of the quarantine establishment of the harbor and port of New York, to be by them held in trust for the people of this State, for the purposes, and subject to the provisions, specified in this Act ; and they shall have power to make such rules and regulations, not inconsistent with the provisions of this Act, as they shall deem necessary for the care and protection of each portion of the quarantine establishment, for the government of the employees therein, for the regulation of the conduct of

* As amended by Sec. 14 of Chap. 543 of the Laws of 1867.

all persons under quarantine, and for preventing communication or intercourse with any vessel under, or subject to quarantine. All the necessary expenses incurred by the said Commissioners, in the care and maintenance of said establishment, and in the discharge of their duties, not otherwise in this Act provided for, shall be paid out of any moneys which may come into their hands, or which may be appropriated for constructing or carrying on said establishment.*

QUARANTINE GROUNDS TO BE SOLD—BOARDING STATION
RESERVED.

§ 42. The Commissioners of the Land Office are hereby authorized and directed, without unnecessary delay, to sell the lands owned, and hitherto used, on the eastern shore of Staten Island, heretofore known as the "Marine Hospital," except that portion of the southeast corner of said lands described and bounded as follows: All that part of the Quarantine grounds commencing on Arietta street, at a point on the southerly wall of said grounds, three hundred and fifty feet distant from the southwesterly intersection of said wall with the easterly line of said Tompkins Avenue; thence northerly, on a line parallel to

* As amended by Sec. 10 of Chap. 592 of the Laws of 1865.

said Tompkins Avenue, four hundred feet ; thence south eighty-four degrees and fifteen minutes east, on a line parallel with said southerly wall, on the north margin of said Arietta street, to the pier line, as established by the Harbor Commissioners ; thence southerly along said pier line to the intersection with a line of said southerly wall prolonged ; thence westerly to and along said wall, on the north margin of said Arietta street, to the place of beginning, which shall be reserved from such sale for a landing and boarding station, and such other purposes as may be necessary, until a permanent quarantine station shall have been provided, except that said parcel of ground, or any part thereof, shall not be used or occupied for hospital purposes, or for the reception, depositing or storing of any article or thing which may have been taken from any vessel arriving at the port of New York that may be subject to quarantine ; and also the land at Seguine's Point, excepting the burying ground, which shall be retained as a part of the new quarantine, together with all the buildings, and the proceeds of the same shall be held subject to, and for the purposes of, this Act. And, for the purpose of enabling the Commissioners of the Land Office to convey an unincumbered title to purchasers, the amount which may be due upon the mortgage or mortgages upon the said premises, executed by the Commissioners of Emigration, shall be paid, the said

Commissioners of Emigration being required to pay fifty thousand dollars of the amount due upon such mortgages, from the funds in their hands, and the residue shall be paid from the proceeds of the sale by the Commissioners of the Land Office.*

CONSTRUCTION OF THE QUARANTINE ESTABLISHMENT.

§ 43. The said Commissioners of Quarantine are hereby authorized and directed to proceed, without unnecessary delay, to have constructed a floating hospital, warehouses, wet docks, and to provide a boarding station and a residence for the Health Officer, with all appurtenances, according to the provisions of this Act, and to pay for the same out of the funds hereinbefore provided and such other funds as are now held by them or as they are, or shall be, empowered to raise or receive for such purposes. In the exercise of quarantine regulations, at the harbor and port of New York, until the completion of the establishment, according to the provisions of this Act, vessels or hulks may be appropriated for the service of the sick, and also for the reception of merchandise, but in such cases they shall be so disposed as to permit the separation of the sick with different diseases, and to secure the best condition of hygiene, espe-

*As amended by Chap. 398 of the Laws of 1864.

cially ventilation, and under no circumstances whatever shall sick persons be kept in proximity with infected vessels or merchandise. Well persons shall have their liberty as soon as practicable, consistent with the provisions of this Act, and all means necessary to the protection of the public health shall be instituted, according to the exigencies of the case, provided they are not inconsistent with the provisions of this Act.

SALARIES AND WAGES OF EMPLOYEES.

§ 44. All salaries and wages of the employees in the quarantine establishment, not specially provided for in this Act, shall be fixed and determined by the Health Officer.

HEALTH OFFICER'S REPORT.

§ 45. The Health Officer shall present to the Commissioners of Quarantine, annually, on or before the first of January, a report of the general condition of the quarantine establishment, with the statistics of the institution in detail, and such other information and suggestions in regard to the same as he may deem advisable; he shall also furnish to the Boards of Health of the cities of New York and Brooklyn, and to the Commissioners of Quarantine, whenever re-

quired by them to do so, an official return of the numbers and diseases of the patients in the Floating Hospital.*

VESSELS AT THE WHARVES OF THE CITY MAY BE REMOVED
TO THE QUARANTINE GROUND.

§ 46. The Board of Health, or the Mayor and Commissioners of Health of the City of New York, or the Board of Health of Brooklyn, whenever, in their or his judgment, the public health shall require, may order any vessel at the wharves of the city, or in their vicinity, to the quarantine ground, or some other place of safety, and may require all persons, articles or things introduced into either city from such vessel to be seized, returned on board thereof, or removed to the quarantine, or other place of safety. If the master, owner or consignee of the vessel cannot be found, or shall neglect or refuse to obey the order of removal, the said Board of Health, or Mayor and Commissioners of Health shall have power to employ such assistance as may be necessary to effect such removal, at the expense of such master, owner or consignee; and such vessel or person shall not return to the city without a written permission of the said Board of Health, or Mayor and Commissioners of

* As amended by Sec. 14 of Chap. 543 of the Laws of 1867.

Health. Whenever any person shall have been employed as above provided, to remove any vessel, or to remove any article or thing introduced into the city from such vessel, and shall, in pursuance of such employment, effect such removal, he shall have a lien on such vessel, her tackle, apparel and furniture, for his services and expenses in effecting such removal.*

PASSENGERS UNDER QUARANTINE—HOW TO BE MAINTAINED.

§ 47. All passengers being on board of vessels under quarantine, shall be provided for by the master of the vessel in which they shall have arrived ; and if the master shall omit or refuse to provide for them, or they shall have been sent on shore by the Health Officer, they shall be maintained by the Commissioners of Quarantine, at the expense of such vessel, her owners, consignees, and each and every one of them ; and the Health Officer shall not permit such vessel to leave quarantine until such expense shall have been repaid or secured ; and the said Commissioners of Quarantine shall have an action against such vessel, her owners, consignees, and each and every one of them, for such expenses, which shall be a lien on such vessel, and may be enforced as other liens on vessels are enforced by said Commissioners of Quarantine.

* As amended by Sec. 14 of Chap. 543 of the Laws of 1867.

CONFINEMENT OF PERSONS CHARGED WITH OFFENCES.

§ 48. The Health Officer, upon the application of the master of any vessel under quarantine, may confine in any suitable place on shore any person on board of such vessel charged with having committed an offence punishable by the laws of this State or of the United States, and who cannot be secured on board of such vessel, and such confinement may continue during the quarantine of such person, or until he shall be proceeded against in due course of law; and the expenses thereof shall be charged and collected as in the last preceding section.

JURISDICTION OF OFFENCES.

§ 49. Exclusive jurisdiction of the offences specified in this Act is hereby given to the Courts of General and Special Sessions of the Peace of the City of New York, and General Sessions of the County of Kings; and it shall be the duty of the District Attorneys of the City and County of New York, and County of Kings, respectively, to prosecute all persons guilty of such offences in preference to any indictment then in their offices; and it shall be the duty of either of the said Courts to hear and try the offences against this Act in preference to all other cases pending before it; and whenever any person shall be convicted on a trial

for such offence, the Court shall forthwith proceed to pronounce judgment upon him according to the terms prescribed in this Act.

ALIEN PASSENGERS—HOW PROVIDED FOR.

§ 50. The Commissioners of Emigration shall receive into their hospitals all alien passengers for whom bonds shall have been given or commutation paid, under the several acts of this State relating to alien passengers arriving at the port of New York, who shall be affected with any contagious or infectious disease, other than yellow fever, and sent to such hospital by the authority of the Health Officer. They shall defray the expenses of such patients out of the moneys by them received on account of bonds or commutation.

COMMISSIONERS OF EMIGRATION TO CONVEY CERTAIN
LANDS TO THE STATE.

§ 51. The Commissioners of Emigration shall execute and acknowledge a suitable and proper conveyance, to be approved by the Attorney General, conveying to the State all the right, title and interest which they have in the real estate on Staten Island, now or formerly occupied for quarantine purposes as a marine hospital; which conveyance, after being recorded in the office of the Clerk of the County of

Richmond, shall be filed in the office of the Secretary of State.

COMMISSIONERS OF QUARANTINE REQUIRED TO HOLD
DAILY MEETINGS—WHEN.

§ 52. It shall be the duty of the Commissioners of Quarantine to hold daily meetings (Sundays and customary holidays excepted), from the first day of May until the first day of November in each year, and as often in the other months as, in their judgment, may be necessary. They shall present, annually, a report of their proceedings, and of the condition of the quarantine establishment to the Legislature at the opening thereof.

HEALTH OFFICER'S FEES AND DISBURSEMENTS.

§ 53. The Health Officer shall be entitled to receive the fees fixed by law for his services. He shall there-out pay all the salaries and wages of the Deputy Health Officers, and such bargemen, nurses and stewards as may be necessary for the performance of the duties imposed upon him by this Act for the carrying on of the quarantine establishment, except the salaries of the Commissioners of Quarantine; and the said Health Officers shall pay the current expenses of running a steamboat for the transportation of persons to and from the establishment, and for visita-

tions, and for burying the dead. But nothing in this section contained shall be construed or held to affect the liability of masters or owners of vessels, passengers or other persons to pay for such services, labor or work as they are respectively required to pay or discharge by the terms of this Act.*

COMMISSIONERS OF QUARANTINE.—THEIR APPOINTMENT
AND SALARY.

§ 54. The Governor shall nominate and, by and with the advice and consent of the Senate, appoint three discreet persons, citizens of this State, who shall be residents of the Metropolitan Police District, as Commissioners of Quarantine, for the purposes of this Act, who shall hold their offices for three years, and until their successors shall be appointed and qualified. He shall every three years thereafter, and as often as vacancies shall occur by reason of death, resignation, insanity or removal from the said district, appoint, by and with the consent of the Senate, citizens as aforesaid, who shall reside in said district, to fill the places of those Commissioners whose terms shall expire or become vacant; and the persons so appointed shall hold their offices for three years, and until their successors shall be appointed and qualified.

*As amended by Sec. 14 of Chap 592 of the Laws of 1865.

§ 55. The said Commissioners shall receive an annual salary of two thousand five hundred dollars each.

PUNISHMENT FOR OPPOSING OR OBSTRUCTING THE HEALTH OFFICER, OR INVADING THE QUARANTINE ESTABLISHMENT, ETC.

§ 56. Every person who shall oppose or obstruct the Health Officer or his deputies in performing the duties required of him by law, and every person who shall go on board of, or have any communication, intercourse or dealing with any vessel under quarantine, or with any of her crew or passengers, without the permission of the Health Officer, or who shall, without such permission, invade any portion of the quarantine establishment, shall be guilty of the like offence and subject to the like punishment prescribed by the preceding ninth section of this Act ; and such offender shall be detained at quarantine so long as the Health Officer shall direct, not exceeding twenty days. In case such person shall be taken sick of any contagious or infectious disease during such twenty days, he shall be detained at quarantine for such further time as the Health Officer shall direct. Exclusive jurisdiction of the offences specified in this section is hereby conferred upon the courts specified in the forty-ninth section of the Act which

is hereby amended, and all the provisions of said last mentioned section shall apply to said offences. (Sec. 11 of Chap. 592 of the Laws of 1865.)

LIENS—HOW ENFORCED.

§ 57. The several liens specified in this Act and the Act hereby amended, may be enforced in the same manner as other liens on vessels are enforced by warrant of attachment in the mode prescribed in the Act entitled “An Act to provide for the collection of demands against ships and vessels,” passed April twenty-fourth, eighteen hundred and sixty-two, all the provisions of which shall apply to the services, expenses and charges hereinbefore and in said Act specified, and the person or persons to whom said expenses and charges for which such liens are created shall be payable, shall be deemed creditors of the master, owners or consignees of the vessel or merchandise respectively, and such person or persons may have and maintain an action against the master, owner or consignee, and each of them to recover the value of such services, charges and expenses. (Sec. 12 of Chap. 592 of the Laws of 1865.)

CARE OF PASSENGERS WHO HAVE BEEN EXPOSED TO SMALL-POX OR SHIP FEVER.

§ 58. The Commissioners of Emigration shall, by the order and direction of the Health Officer, receive

and take charge of all passengers arriving at the Port of New York, who shall have been exposed to the infection or contagion of small-pox or ship fever, to be kept elsewhere than on Staten Island, and the said Commissioners of Emigration, for the purpose of defraying the expenses therefor, shall be entitled to receive from the owners, masters, consignees or agents, of the vessels arriving at the port of New York, the sum of twenty-five cents for each passenger so arriving, to be collected in the same manner that commutation moneys are collected by said Commissioners of Emigration. (Sec. 8 of Chap. 613 of the Laws of 1865.)

STATE OF NEW YORK.

CHAPTER 751.

AN ACT

In relation to Quarantine in the Port of New York, and providing for the construction of the Permanent Quarantine Establishment.

Passed April 21, 1866; three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

SECTION 1. The Commissioners of Quarantine, in conjunction with the Mayor of the City of New York and the Mayor of the City of Brooklyn, shall constitute a Board of Commissioners, to perform the duties and exercise the powers imposed and conferred by this Act. In case of the death, removal, or resignation of either of the Commissioners of Quarantine, the Governor shall fill the vacancy ; and before en-

tering upon the discharge of their duties, each of the Commissioners shall enter into a Bond to the People of the State of New York, in the penalty of twenty-five thousand dollars, with sufficient sureties, to be approved by the Comptroller, conditioned for the faithful discharge of his duties and the satisfactory accounting for all moneys received by him as such Commissioner. And within three months after the erections authorized by this Act are completed, the said Board shall render to the Comptroller a full and final account of all moneys received by them, and of all their disbursements under this Act. Neither of the other members of said Board shall receive any compensation for his services, but all of the necessary expenses incurred by the members of said board shall be paid out of the moneys aforesaid; and they are hereby authorized to employ and pay such architects, engineers or other employees as may be necessary to enable them to perform the duties hereby imposed upon them; and they may elect one of their number President and another to be Treasurer of said Board, and prescribe their duties.

§ 2. The said Board of Commissioners shall, as soon as practicable after the passage of this Act, cause to be erected on the west bank in the Lower Bay of New York, but not within one and a half miles of the shore of Staten Island, in the manner here-

after provided, a suitable structure, with all necessary docks, wharves and appurtenances, for use as a hospital for the reception of those sick with contagious diseases arriving in vessels subject to quarantine, and shall provide the same with all necessary furniture, fixtures, and other facilities for the care of the sick, and for the prompt and efficient discharge of the duties of the Health Officer of the port of New York. The said structure, when so erected, fitted up and provided, shall become a part of the Permanent Quarantine Establishment, and subject to existing laws relating to the same, and shall be used as a place for the reception and care of the sick who may be sent there by the Health Officer under the authority of the laws of the State relative to Quarantine.

§ 3. Before proceeding to the erection of the said structure, the said Board of Commissioners shall submit to the Governor, Lieutenant-Governor, and Comptroller, for examination, careful plans and specifications, made by competent engineers or architects, together with accurate estimates of the expense of erecting and fitting up the said structure, docks, wharves and appurtenances, and if said plans, specifications and estimates shall be approved by them, or a majority of them, they or such majority shall certify that fact in writing, and file the same in the office of the Secretary of State; and no contract shall

be made for the erection of said structure or any part thereof, nor shall any money be expended thereon, until the plans, specifications and estimates therefor shall be approved, and a certificate thereof made and filed as aforesaid.

§ 4. As soon as the said Board of Commissioners shall have procured plans, specifications and estimates, and the approval thereof as aforesaid, they shall, by a notice to be inserted daily for three consecutive weeks, in three daily newspapers published in the City of New York, and two published in the City of Brooklyn, invite sealed proposals for the erection of the said structure, wharves, docks and appurtenances, according to the said plans and specifications so approved, which shall, during the said three weeks, be open to public inspection at the office of said Board during the usual business hours. At the expiration of the period aforesaid, the said Board shall publicly open the said proposals at an hour and place to be designated in said notice, and they shall thereupon award the contract for the erection of said structure, wharves, docks, and appurtenances, to the person or persons who shall, in said proposals, offer to erect the same, for the lowest sum, and who shall give security satisfactory to said Board for the faithful and complete performance of such contract ;

provided, however, that if said Board shall deem said sum exorbitant or unreasonable, they may disregard said bid, and in like manner re-advertise for new proposals until they shall receive a bid which they shall deem reasonable and for the interest of the State to accept; provided, however, said bid shall not exceed the lowest bid in any bid before made.

In addition to the security aforesaid, the contract shall provide that at least the sum of fifteen per cent. upon each installment to be paid thereunder, shall be retained in the hands of said Board until said contract shall be fully completed; and there shall be a written contract entered into pursuant to said award, which shall provide and stipulate that all of the work to be performed thereunder, shall be done under the supervision of the members of said Board designated by the Governor to have the charge and supervision thereof, as in the first section of this Act provided; and that no payments shall be made under said contract, until the contractor shall produce to them a certificate from an engineer or architect selected by said Board, certifying that the work, so far as the same is then completed, has been in all respects performed and the materials furnished according to the terms of the contract.

§ 5. The hospital so to be erected and provided as

aforesaid, shall be so constructed as to admit of the separation therein of persons sick with different diseases, and when so required, the same shall be applied exclusively to the reception and care of persons sick with yellow fever or cholera, and when so used, patients sick with other diseases, subject to quarantine, shall be disposed of, and provided for, in the manner now required by law. When not required for the reception of yellow fever or cholera patients, said hospital may be appropriated to the reception of persons sick with other contagious diseases, subject to such regulations as the Commissioners of Quarantine shall deem necessary to prescribe; and said Commissioners may appoint a physician for said hospital, and the Health Officer of the Port of New York shall be the physician for said hospital. The expense of the care and support of each person received into said hospital, shall be fixed and determined as other quarantine charges and expenses are now by law fixed and determined, and shall be paid to said Commissioners by the master, owner or consignee of the vessel in which the person so received shall have arrived, and the said Commissioners shall have the same remedies to enforce payment thereof, as are given them by existing laws to enforce payment of charges for storage in the quarantine warehouses.

§ 6. For the purpose of determining all questions of jurisdiction in any action, either civil or criminal,

growing out of any act or thing done upon or connected with the said hospital hereby authorized to be erected, the said structure shall be deemed to be within the limits of the city and county of New York, and whenever any action has been or shall hereafter be commenced, or any criminal prosecution shall be instituted against the Health Officer of the Port of New York, or either of his deputies, or any of his employees, or against the Commissioners of Quarantine, or either of them, or against any persons engaged in performing any duty or rendering any service in any matter or thing connected with the Quarantine Establishment, or any part thereof, before any Court or Officer within the county of Richmond, or where such county shall be the place of trial named in the complaint in any such action, the defendant or defendants therein may apply to any justice of the Supreme Court for an order directing that said action be tried either in the city and county of New York, or in the county of Kings, and the said Justice shall thereupon make an order removing said action from the county of Richmond to the city and county of New York, or to the county of Kings. In case the action shall be pending in the Supreme Court, the order shall designate in which of the other counties above named the trial shall be had. In case such action shall be pending in the County Court, said order shall remove said action into the Supreme Court, and shall

designate one of the other counties above named as the county where the same shall be tried. In case the action shall have been commenced before a Justice of the Peace, the order shall name the Justice of the Peace or Court before which said action shall be tried in the county to which the same shall be removed as aforesaid, and in case the action shall be criminal, the order shall direct to what officer or court the complaint or indictment shall be sent for trial, and shall provide for giving bail in such form and amount as the said justice to whom such application shall be made, shall deem proper, and in all cases where an order shall be made as aforesaid, the Court or Officer to which said action shall be transferred as hereinbefore authorized, shall proceed to the trial thereof in the same manner and with the like effect as if said action had been commenced before such Court or Officer, and the cause of action had arisen in the county to which said action shall be removed.

*§ 7. Immediately after the passage of this Act, the said Board of Commissioners mentioned in the foregoing first section, shall cause the real estate owned by the State in the town of Castleton, formerly used for quarantine purposes, and known as the Marine Hospital grounds, except that portion of the south-east corner of said grounds which is bounded and described as follows, to wit: "All that certain piece

* Provisions of sections 7, 8, 9, 10 and 11 relate to sale of Marine Hospital grounds, have been fully executed.

or parcel of land commencing at a point on the lands under water, distant fifty feet northerly from the northeasterly corner of the new Quarantine Dock, and running thence westerly, on a line parallel with the boundary line between the lands of the United States and said Marine Hospital grounds, to the fence now erected on said grounds in the rear of the Health Officer's residence ; thence southerly along said fence, to Arietta street ; thence easterly along said street, to a point on the land under water which would be formed by the intersection of the southerly line of said grounds with the easterly line extended of said new Dock ; and thence northerly along said easterly line of said dock, to the point or place of beginning ;" to be surveyed out into lots and blocks, making provision for such streets through the same as may be necessary, and three accurate maps made of the same by the State Engineer and Surveyor, under the direction of said Board ; one of which shall be filed by them in the office of the Clerk of the County of Richmond, one in the office of the Secretary of State, and the other shall be retained by them in their office. In subdividing said real estate into lots, they shall, as far as practicable, divide the same into lots of suitable size for single dwellings or stores, except that the portion of said lands bordering on the water shall be so subdivided as to give a sufficient water front to each lot for commercial purposes.

§ 8. As soon as such surveys and maps are completed and filed as aforesaid, said Board shall cause each of said lots to be appraised by three competent and sworn appraisers, who shall, at the same time, appraise said tract of land as one parcel, without reference to such subdivisions. Such appraisal shall be duly verified by affidavit, and shall be filed in the office of the Secretary of State ; and said lands shall not be sold pursuant to the authority hereinafter given, either in one parcel or in separate lots, for less than such appraised value.

§ 9. As soon as such appraisal is completed as aforesaid, said Board of Commissioners shall cause said lots to be sold separately, at public auction, to the highest bidder above said appraised value, at the salesroom of the Merchants' Exchange, in the city of New York ; provided, however, that if the said Board, upon inquiry and investigation, shall be of the opinion that the said lands will produce a larger sum upon such sale if sold in one parcel, or by selling several of said lots together, they shall certify that fact in writing to the Governor, Lieutenant-Governor and Comptroller ; and if they, or a majority of them, shall concur in opinion with said Commissioners, such concurrence shall be endorsed upon such certificate, and the same shall then be filed in the office of the Secretary of State ; and said Commission-

ers shall thereupon cause said lands to be sold in accordance with said opinion. Notice of the time and place of the sale aforesaid shall be advertised daily for three successive weeks before the day of sale, in three daily papers published in the City of New York, and in two published in the City of Brooklyn. Upon such sale, the purchaser shall pay to said Board of Commissioners ten per cent. of the amount of the purchase money, and shall execute and deliver to them an agreement in writing, describing the lot or parcel purchased by him, and agreeing to pay the residue of said purchase money to the people of the State at a time to be therein specified, which shall not exceed thirty days from the day of such sale. The President of said Board of Commissioners shall thereupon execute and deliver to such purchaser a certificate containing the name of the purchaser, a description of the land purchased, the sum paid, and the sum remaining due thereon ; and said Commissioners shall then transmit said agreement to the Comptroller.

§ 10. If the purchaser to whom such certificate shall be delivered, as aforesaid, or his representatives or assigns, shall, within thirty days from the date thereof, present the same to the Comptroller, with a receipt of the President of said Board endorsed thereon, for the whole amount of the purchase money remaining unpaid, the Comptroller shall certify that

fact upon the agreement so delivered to him, and letters patent shall thereupon be issued to the person entitled to receive the same for the lands described in said certificate which shall vest in the grantee therein named the title to the said lands, free and clear from all incumbrances. In case the purchaser of any of said lands shall fail to make payment of said purchase money within the time aforesaid, or within such further time as shall be granted by said Commissioners, not exceeding the period of six months, he shall forfeit the said ten per cent. so paid by him, and they shall proceed to re-advertise and sell such lands, in the manner hereinbefore specified; and said first purchaser shall be liable, upon the agreement given by him, as above provided, to make good to the people of the State any loss which may result to them by reason of the sale of the said lands upon such second sale for a less sum than that bid upon the first sale.

§ 11. The proceeds arising from the sale of said lands shall be disposed of, and applied by said Board, as follows :

1. They shall therefrom pay the cost of said appraisal and advertising, and the expenses of said sale.
2. They shall next apply so much thereof as may be necessary to pay off and discharge the mortgage

now existing upon said lands ; but the Commissioners of Emigration shall be, and they are hereby, required and directed to furnish and provide out of the funds in their hands, towards the payment of said mortgage, the sum of fifty thousand dollars; provided, however, that if the holder of said mortgage will consent to accept a part payment of the amount due thereon, and release therefrom all the lands covered thereby, except the parcel reserved from said sale, as hereinbefore provided, then the said Board shall only pay to the holder of said mortgage such a sum as, with said sum to be paid by the Commissioners of Emigration, will secure the release of all the lands covered thereby, except said parcel, reserved from said sale as aforesaid.

3. The residue of said moneys shall immediately be paid by them into the State Treasury, to reimburse to the Treasury such sum as shall be paid therefrom, pursuant to the provisions of this Act, and such residue is hereby appropriated to that purpose ; and, at the time of the payment thereof, they shall furnish to the Comptroller an account, verified by the Treasurer of said Board, showing the whole amount of moneys realized from such sales, and the payments made by them therefrom.

§ 12. The portion of said lands reserved from said sale, as hereinbefore provided, shall be kept and re-

served as a landing and boarding station, and residence for the Health Officer, and such other purposes as may be necessary, until a permanent quarantine station shall have been provided, except that the same shall not be used or occupied for hospital purposes, or for the reception, depositing or storing of any article or thing which may have been taken from any vessel arriving in the Port of New York, subject to quarantine ; and the Commissioners of Quarantine are hereby constituted the custodians of said landing and boarding station, and it shall be their duty to guard against all encroachments upon said property, and keep the same in good order and repair ; and it shall be unlawful for the Commissioners of Highways of the Town of Castleton, or any person or persons whatsoever, to do any act or thing by which the walls enclosing said parcel of land shall, in any respect, be injured or destroyed, or whereby the water from the street adjoining the same shall be turned thereon, or whereby said premises shall, in any respect, be injured. Any person who shall, knowingly or wilfully, violate the provisions of this section, shall be guilty of a misdemeanor, and jurisdiction of such offence is hereby vested in the courts specified in the forty-ninth section of chapter three hundred and fifty-eight of the laws of one thousand eight hundred and sixty-three, and all of the provisions of said section shall apply to such

offences, and upon conviction thereof, such offender shall be punished in the manner provided by the thirty-sixth section of the chapter and laws aforesaid.

§ 13. The sum of four hundred thousand dollars, or so much thereof as may be necessary for that purpose, is hereby appropriated out of any moneys in the Treasury not otherwise appropriated, to defray the expenditures authorized by this Act, which sum shall be reimbursed to the Treasury out of the proceeds of the sale hereinbefore authorized, and the sale of the bonds of the County of Richmond now held by the State, which were executed and delivered to the State Treasurer, under, and pursuant to the provisions of chapter four hundred and sixty-five of the laws of one thousand eight hundred and sixty, which said bonds the Comptroller is hereby authorized to sell and dispose of, at and for such price or sum as, with the approval of the Governor, he may be able to obtain, but he shall not sell the same for less than ninety-five per cent. of the par value thereof, and the proceeds arising from such sale shall be deemed pledged to reimburse to the Treasury the amount which shall be paid therefrom, as in this Act authorized.

§ 14. The Comptroller is hereby authorized and directed to draw his warrant on the Treasurer in favor

of the said Board of Commissioners, on account of said appropriation, in such sums, and at such times, as the same may be required by them for the purposes of this Act. But none of the moneys shall be drawn from the Treasury under this Act until the said Board shall have presented to the Comptroller a written statement, signed by them, or a majority of them, setting forth in detail, the purposes to which such money is to be applied; nor until the Comptroller is satisfied that such statement is correct; and, after the first payment from the Treasury, no second payment shall be made therefrom until said Board shall have presented to the Comptroller satisfactory vouchers for the expenditure of all moneys previously drawn.

§ 15. So much of the provisions of existing laws as relate to the sale of said lands, and the disposition of the proceeds arising therefrom, as are inconsistent with the provisions of this Act, are hereby repealed.

§ 16. This Act shall take effect immediately.

CHAPTER 543.

AN ACT

In relation to Quarantine in the Port of New York, and to amend existing Acts relative thereto.

Passed April 22, 1867 ; three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

SECTION 1. The Commissioners of Quarantine, the Metropolitan Board of Health, and the Mayors of the cities of New York and Brooklyn, are hereby authorized and directed, as soon as practicable after the passage of this Act, to select a suitable site on Barren Island, to erect a temporary structure, if it become necessary, until a suitable permanent structure shall be erected on West Bank (which the said Board, above named, are hereby directed to construct, as soon as practicable), with all necessary appurtenances, for the reception and temporary detention of passengers under quarantine who have been exposed to contagious or infectious diseases, but who are not ac-

tually sick, and who may be sent there by the Health Officer, pursuant to law. They shall also select a suitable site for a Landing and Boarding Station on the west end of Coney Island to be used in place of the one specified in the twelfth section of chapter seven hundred and fifty-one, of the laws of eighteen hundred and sixty-six. Said sites shall be selected as near to each other as the safety of the public health and the convenient discharge of the duties of the Health Officer will permit. As soon as said sites, or either of them, shall be determined upon by said Commissioners, the Metropolitan Board of Health and the Mayors of said Cities, or a majority of them, they shall certify that fact, in writing, to the Governor, Lieutenant-Governor and Comptroller; and if the site or sites so selected shall be approved by them, or a majority of them, they, or such majority, shall make and sign a certificate of the fact, specifying particularly therein the site or sites so selected, and file the same in the office of the Secretary of State; and thereupon the said Commissioners shall become, and be deemed to be, empowered to acquire title to the lands specified in said certificate, and fit up the same for quarantine purposes, as hereinafter specified. It shall not be lawful to suffer or permit any vessel infected with a pestilential, contagious or quarantinable disease, or any vessel containing any person or persons infected with any such disease, to anchor in the waters of Gravesend Bay.

§ 2. In case said Commissioners, the Metropolitan Board of Health and the Mayors of said cities, shall be unable to agree upon the selection of either or both of the sites mentioned in the preceding section, within thirty days after the passage of this Act, or in case either of the sites selected by them shall not be approved, as hereinbefore authorized, then the Governor, Lieutenant-Governor and Comptroller, in conjunction with the Commissioners of Quarantine and the Health Officer of the Port of New York, shall constitute a Board of Officers to make such selection, and the decision of a majority of the members of said Board in reference thereto shall be final. A certificate of such determination shall be made and signed by a majority of said Board, in which the site or sites so selected shall be particularly described, and the same shall be filed in the office of the Secretary of State, and, when so filed, shall have the same effect as the certificate of approval specified in the preceding section.

§ 3. As soon as a site or sites shall have been selected and determined upon, in the manner hereinbefore provided, if they shall be unable to acquire title thereto, in behalf of the people of the State, by purchase, at a price which shall be approved by the Governor, they may acquire title thereto, in behalf of the said people, in the same manner and by the

same proceedings as are prescribed for acquiring title to lands by railroad corporations in and by the provisions of chapter one hundred and forty of the laws of one thousand eight hundred and fifty, and the acts amendatory thereof, which provisions, so far as they relate to acquiring title to real estate, are hereby extended and made applicable to the acquiring title to the sites aforesaid, except that in the petition to the Supreme Court for that purpose, it shall only be necessary to describe the lands required, and state that they have been designated and selected as authorized by this Act, giving the name of the person, party, corporation or body politic claiming or having an interest therein, and that said Commissioners have been unable to acquire title thereto, and the reason of such inability. The petition shall be verified by the President of the Board of Commissioners of Quarantine, and may be presented to the Supreme Court at any General or Special Term appointed to be held either in the first or second Judicial Districts.

§ 4. The sum required to pay for any lands purchased as hereinbefore authorized, or to pay the amount which shall be awarded and directed to be paid for any lands the title to which shall be acquired by the proceedings specified in the last preceding section of this Act, shall be paid out of the

proceeds of the sale of the marine hospital grounds as hereinafter directed, and upon payment of the same, the title to said lands shall become vested in the people of the State, and they shall be held and used as a part of the permanent quarantine establishment, and the said Commissioners shall, as soon as title thereto shall be so acquired, immediately proceed to erect thereon suitable buildings and structures, with all the necessary appurtenances, and fit up the same for the purposes for which said lands were acquired ; and no person shall be sent to such place of detention who is sick with any contagious or infectious disease, and in case any person sent there shall be taken sick with any such disease he shall be forthwith removed to the quarantine hospital.

§ 5. The Commissioners of Quarantine are hereby authorized and empowered to commute with the owner, consignee or master of any ship or vessel, for the charges and expenses which may be made or incurred in the care, treatment, maintenance, cleansing of baggage, or burial of any person under quarantine, who shall arrive in the port of New York, upon such ship or vessel, by receiving from such owner, consignee or master, such a sum for each person arriving in such ship or vessel, as the said Commissioners shall deem to be just and proper. The

amount so paid shall be in lieu of all charges and expenses now authorized by law to be collected from such owner, consignee or master, for the care, treatment, maintenance or burial of any person under quarantine, arriving in such ship or vessel; and all persons under quarantine for whom commutation moneys shall be so paid, shall be taken care of and maintained at the expense of the funds provided for defraying the expenses of the quarantine so received by the Commissioners, shall be deemed a part of the funds provided for that purpose.

§ 6. The Board of Commissioners created by the Act entitled "An Act in relation to Quarantine in the Port of New York, and providing for the Construction of the Permanent Quarantine Establishment," passed April twenty-first, eighteen hundred and sixty-six, is hereby authorized and empowered to sell to the United States, so much of the marine hospital grounds specified in said Act, as lies on the north side of the five acres heretofore conveyed to them by the State, at such a sum, not less than six thousand dollars, as said Board may deem reasonable; and also so much of said grounds as the United States may desire to purchase, as is embraced in block number seven, laid down on the map of said grounds, made and filed pursuant to said Act, at a sum not less than the value at which said lands have been

appraised under the provisions of said Act; provided before such sale the said Board shall be able to procure a release of the lands so to be sold from the lien of the mortgage now existing thereon, by the payment of a sum not exceeding fifty per cent. of the purchase money to be paid upon such sale. In case said Board shall make a sale of any of said lands pursuant to the provisions of this section, they shall certify that fact to the Commissioners of the Land Office, and thereupon Letters Patent of the State for so much of said lands as shall be sold, shall be issued, and on the payment to said Board of the purchase price agreed upon, the said Letters Patent shall be delivered to the United States, and they shall have the effect to vest in them the fee of the lands therein described, together with all the right and title of the State in and to the lands under water in front thereof, five hundred feet beyond low water mark.

§ 7. The said Board of Commissioners, mentioned in the last preceding section, are also hereby authorized and empowered, at any time within sixty days after the passage of this act, or within such further time as shall be designated by the Governor, to sell and dispose of the whole of the residue of the said marine hospital grounds, not sold to the United States, as hereinbefore authorized, including the

portion thereof set apart and reserved for a Landing and Boarding Station, by the seventh and twelfth sections of the act hereinbefore mentioned, at private sale, at and for such sum as they may be able to obtain, provided the sum shall not be less than four hundred thousand dollars, including the amount which shall be received for the portion of said grounds conveyed to the United States. In case the said Board shall be unable to effect a sale of the same upon the terms aforesaid, within the time above specified, it shall be their duty immediately to proceed to sell the same in one parcel, at public auction, to the highest bidder, but at a sum not less than that which shall be fixed by the Governor, Lieutenant-Governor and Comptroller, or a majority of them, and which sum shall not be less than the appraised value of the whole of said grounds as specified in the appraisement made and filed pursuant to the Act aforesaid. In either case, such sale shall be made subject to a reservation of the use, for a period of not exceeding three years from the date of the passage of this Act, of so much said grounds as are excepted from sale by the seventh section of said Act, as the Commissioners of Quarantine may deem necessary to keep and reserve, during that period, for a Landing and Boarding Station, and such other purposes as are specified in the twelfth section of said Act. Such sale at public auction shall be at the place

and upon the notice specified in said Act in reference to the sale therein directed, and the terms of sale shall require the purchaser to pay to said Board the sum of ten per cent. of the amount of the purchase money at the time of the sale and the residue on the delivery of letters-patent, for said lands, within thirty days thereafter.

§ 8. In case said lands shall be sold at public auction, the said Board of Commissioners, immediately upon such sale, shall certify that fact to the Commissioners of the Land Office, giving the name of the purchaser or purchasers, and the amount of the bid, and thereupon letters-patent of the State shall issue to such purchaser or purchasers, and upon payment of the residue of the purchase money to said Board of Commissioners, within thirty days after such sale, or within such further time, not exceeding three months, as shall be granted by said Board, the said letters-patent shall be delivered to such purchaser or purchasers, and upon such delivery they shall have the effect to vest in him or them the fee of the lands therein described, free and clear of all encumbrances, together with all the lands under water in front thereof, five hundred feet beyond low water mark. In case the purchaser or purchasers shall fail to pay the residue of said purchase money within the time hereinbefore specified, he or they shall forfeit the ten

per cent. so paid, and the said Board shall thereupon again advertise, and offer said land for sale at public auction, in like manner as if the same had not before been offered for sale ; and at all meetings of said Board, or of the Commissioners of Quarantine, in the discharge of their duties, a majority shall be sufficient for the transaction of business, all the members having been duly notified to attend.

§ 9. Before making such sale, said Board shall cause the remains of all persons buried upon said grounds, as far as practicable, to be removed, and re-interred in the quarantine burying ground, or some other suitable place, and the expenses thereof shall be paid out of the moneys arising from such sale.

§ 10. The proceeds arising from the sale of said lands shall be disposed of and applied by said Board as follows :

1. They shall therefrom pay the cost of appraising and advertising said lands and the expenses of said sale.

2. They shall next apply so much thereof as may be necessary to pay off and discharge the mortgage now existing upon said lands ; but the Commissioners of Emigration shall be, and they are hereby required and directed to furnish and provide, out of

the funds in their hands, towards the payment of said mortgage, the sum of fifty thousand dollars, that sum being deemed the fair proportion thereof which should be paid by them as a condition of having the lands held by them on Ward's Island, and covered by said mortgage, released from the lien thereof.

3. They shall next pay therefrom any sum required to be paid under and pursuant to the provisions of the fourth section of this Act.

4. They shall next pay therefrom the expenses incurred in removing and reintering the remains of deceased persons pursuant to the provisions of this Act.

5. The residue of said moneys shall immediately be paid by them into the State Treasury, to reimburse to the Treasury such sum as shall be paid therefrom pursuant to the provisions of the Act hereinbefore mentioned ; and such residue is hereby appropriated to that purpose ; and at the time of the payment thereof they shall furnish to the Comptroller an account verified by the Treasurer of said Board, showing the whole amount of moneys realized from such sales, and the payments made by them therefrom.

§ 11. Immediately after the passage of this Act, and every two years thereafter, the Governor shall

nominate, and by and with the advice and consent of the Senate, shall appoint a special Port Warden in and for the Port of New York, whose duty it shall be to act as Warden in regard to vessels under or subject to quarantine, but his duties shall not extend to vessels stopping at quarantine for the purpose of visitation only by the Health Officer, but which shall not be detained. The person so appointed shall hold his office for two years, and until his successor is appointed and qualified; and in reference to vessels or merchandise under or subject to quarantine, he shall possess all the powers of a Port Warden in the Port of New York, but he shall discharge his duties under and subject to such regulations as the Health Officer shall see fit to impose for the protection of the public health; he shall be entitled to receive for each survey or examination made by him the sum of five dollars, and shall make returns to the Warden's office, in the City of New York, of each survey made by him within twenty-four hours after the same shall be made; and he may appoint a deputy, who, during his absence or inability to serve, may perform all his duties and exercise all his powers; and so much of any existing law as authorizes the appointment of Port Wardens to act under quarantine, other than the one hereinbefore specified, is hereby repealed.

§ 12. (Amends section 45 of the Act of 1863, and is incorporated into that section.)

§ 13. So much of chapter seven hundred and fifty-one of the laws of one thousand eight hundred and sixty-six as is inconsistent with the provisions of this Act, is hereby repealed.

§ 14. (Amends section 39 of the Act of 1863, and is incorporated into that section. Also amends section 46 of same Act.

§ 15. This act shall take effect immediately.

EXTRACT FROM CHAPTER 717 OF THE LAWS OF 1868,
ENTITLED

“An Act making appropriation for certain expenses of government, and for supplying deficiencies in former appropriations.” Passed May 8, 1868.

For the Board of Commissioners constituted by the act entitled “An act in relation to quarantine in the port of New York, and providing for the construction of the permanent quarantine establishment,” passed April twenty-first, eighteen hundred and sixty-six, the sum of fifty thousand dollars, to enable said board to erect an exterior wall and foundation on west bank, in the lower bay of New York, on which to erect such buildings and appurtenances as may be necessary for use for the reception and detention of persons who have been exposed to contagious or infectious diseases, but are not actually sick, and also for use as a landing and boarding station for quarantine purposes; but the said exterior wall and foundation shall be erected according to the plans and specifications made by a competent engineer, to be selected by said board; and the materials therefor shall be furnished and the work thereon shall be performed by contract, to be entered into in the manner prescribed by the fourth section of said act, except that separate portions of said work may be let by separate contracts, and except also that said board may, in its discretion, reject any bid which it may not deem for the interest of the State to accept.

EXTRACT FROM CHAPTER 492, LAWS OF 1870, ENTITLED
“An Act making appropriations for certain expenses
of government, and for supplying deficiencies in
former appropriations,” passed April 28, 1870.

For the Board of Commissioners constituted by the
act entitled “An act in relation to quarantine in the
port of New York, and providing for the construction
of the permanent quarantine establishment,” passed
April twenty-first, one thousand eight hundred and
sixty-six, the sum of two hundred thousand dollars,
to be applied by said board as follows : *first*, to the
payment of the amount now due for “extra work”
done under its permission or direction in strengthen-
ing, furnishing and fitting up the hospital erected
under said act, and to the payment of the necessary
expenses which may be incurred by said board in the
discharge of the duties imposed upon it by law;
second, to defray the expense of erecting a suitable
dock or wharf connected with said hospital, in con-
formity with the contract already entered into there-
for by said board ; *third*, to defray the expense of en-
larging the rip-rap around said hospital to the extent
recommended by the engineer of said board and to
provide said hospital with more suitable means for
heating the buildings and extinguishing fires, and
with such additional facilities as shall be necessary
for the care of the sick, or the discharge of the du-

ties of the persons employed therein; *fourth*, to defray the expense of providing, fitting up and furnishing a residence for the Health Officer (the work to be done under his direction and the expense thereof to be audited by him), with all necessary appurtenances, as convenient to the boarding station as practicable; and, until a permanent residence connected with such station shall be provided by law, said board shall lease a residence, with a suitable water front, to be selected by the Health Officer, provided the site so selected can be leased at an annual rental not exceeding the annual interest upon the value of the premises, such value to be ascertained by appraisers appointed by said board, and the premises so leased shall, during the period of such lease, be exempt from taxation; *fifth*, to the payment of any balance which may be due the contractor for erecting the boarding station on west bank, over and above the amount which he may receive on his contract under existing appropriations, and to defray the expense of enlarging the rip-rap around said boarding station, or taking any other measures which, in the judgment of said board, may be necessary, during the current year, to strengthen or preserve the same; *sixth*, the residue of said moneys shall be applied to defray the expense of erecting suitable buildings on said boarding station for the use of the Health Officer and his assistants, and for the reception and care of those who

may have been exposed to disease and may be sent there by him ; but such buildings shall be erected under a contract to be entered into therefor in the manner prescribed by the fourth section of the act aforesaid, except that said board may, in its discretion, reject any bid which it may not deem for the interest of the State to accept, and may also enter into separate contracts for separate portions of said work.

For the Commissioners of Quarantine, for the care and maintenance of the quarantine establishment, the payment of the employees therein, and to enable said Commissioners to pay such expenses as shall be necessarily incurred by them in the discharge of their official duties during the current year, the sum of fifty thousand dollars : and said Commissioners shall also therefrom pay the running expenses of a steamboat for boarding vessels and transporting the sick and burying the dead. and they may, from time to time, upon the recommendation of the Health Officer, sell and dispose of any hulk, boat or hospital furniture which, in his judgment, cannot longer be safely or properly used for quarantine purposes. The proceeds of such sale, after deducting the expenses thereof, shall be applied toward defraying the expenses of the quarantine establishment. Said Commissioners are also hereby authorized to select and procure a new burying ground as near to the west bank.

hospital as practicable, and to transfer thereto the remains of all persons buried in the burying grounds at Seguine's Point. As soon as such selection and transfer shall be made, they shall certify that fact to the Commissioners of the Land Office, who shall then sell and dispose of said last mentioned burying ground in the manner now authorized by law. *And to enable the Health Officer to enforce that sanitary discipline among the employees of said establishment which is necessary to the prompt and efficient discharge of his duties, all of said employees, as well as all persons required by law to be licensed for service under quarantine, shall be selected and licensed, and may at pleasure be dismissed by him ; and the compensation and charge for services of all persons so selected or licensed shall be fixed and determined by said Commissioners, in conjunction with the Health Officer, the Mayor of the City of New York, the President of the board of Aldermen of said city, and the Mayor of the City of Brooklyn. And for the purpose of providing suitable warehouses for quarantine purposes, a corporation may be organized, under and pursuant to the provisions of the act entitled " An act to authorize the formation of a corporation for the purpose of erecting warehouses and docks in the port of New York for quarantine purposes," passed April twenty-nine, eighteen hundred and sixty five,

* Repealed in 1877, by Chap. 275, Page 106.

for the purposes and with all the powers and privileges and subject to all the obligations therein specified, except that the restriction contained in the proviso of the second section of said act, in reference to the location of said warehouses, and the prohibition contained in the third section thereof in reference to merchandise subject to an obligatory quarantine, shall not apply to such corporation, and except also that whenever in and by said act anything is required or permitted to be done with the approval of the Commissioners of Quarantine, it may be done either with their approval or with the approval of the Health Officer.

For the Health Officer of the Port of New York, the sum of five thousand dollars, or so much thereof as may be necessary, to pay the salaries of not exceeding five policemen at quarantine. Such policemen shall be appointed and may at pleasure be dismissed by him, and they shall perform patrol and police duty under his direction, in connection with the quarantine establishment, and upon the waters of the Bay of New York; and they shall possess all the powers possessed by policemen in the cities of New York and Brooklyn.

EXTRACT FROM CHAPTER 715, LAWS OF 1871, ENTITLED

“An Act making appropriations for certain expenses of Government, and for supplying deficiencies in former appropriations.” Passed April 26th, 1871.

For the Board of Commissioners constituted by the Act entitled “An Act in relation to quarantine, and providing for the construction of the permanent quarantine establishment,” passed April twenty-first, eighteen hundred and sixty-six, the sum of two hundred thousand dollars, to be applied by said board to the payment of the existing obligations of said board for work done under its authority, to the payment of the rent which shall become due upon the lease entered into by said board, pursuant to chapter four hundred and ninety-two of the laws of eighteen hundred and seventy, to the payment of such amount as the Health Officer of the port of New York shall certify to be due to any person for labor and services performed or materials furnished in fitting up and furnishing the residence of the Health Officer and his deputies, with their appurtenances, to the completion of the island on West Bank for a boarding station and for the erection and equipment of suitable buildings on said island, for the reception of passengers who may have been exposed to disease, and who may be sent there by the Health Officer; provided, however, that such buildings shall be erected upon plans

approved by the Health Officer, and under a contract to be entered into therefor in the manner prescribed in the fourth section of the Act aforesaid, except that said board may, in its discretion, reject any bid which it may not deem for the interest of the State to accept, and it may also enter into separate contracts for separate portions of said work.

For the Commissioners of Quarantine for the care and maintenance of the quarantine establishment, the payment of the employees therein, and to enable the said Commissioners to pay such expenses as shall be necessarily incurred by them in the discharge of their official duties during the current year, the sum of sixty thousand dollars, and said Commissioners shall also therefrom pay the running expenses of a steamboat for boarding vessels and transporting the sick and burying the dead.

For the said Commissioners of Quarantine for the purpose of repairing and providing new boilers for the steamboats Andrew Fletcher and Governor Fenton, the sum of ten thousand four hundred dollars.

For fitting up the Illinois at quarantine, fifteen thousand dollars.

For the Health Officer of the Port of New York the sum of five thousand dollars, or so much thereof as may be necessary, to pay the salaries of not exceeding five policemen of Quarantine ; such policemen may be appointed and may at pleasure be dismissed by

him ; and they shall perform patrol and police duty under his direction in connection with the quarantine establishment and upon the waters of the bay of New York ; and they shall possess all the powers possessed by policemen in the cities of New York and Brooklyn. And any person arrested by either of said policemen for violating any law relating to quarantine, in said port, may be taken by him before any court of criminal jurisdiction, or any magistrate or police justice, within the county of Richmond, and thereupon the court, magistrate or police justice before whom such offender shall be brought, shall have jurisdiction to hear, try and punish the offense committed by him, in the same manner and with the like effect as if the same had been committed within the limits over which such court, magistrate or police justice has jurisdiction to punish offenses under existing laws.

To Thomas H. Farron, for materials furnished and labor paid for in the improvement of the Quarantine grounds at Staten Island, the alteration, refitting and furnishing of the residence of the Health Officer and his assistants, twelve thousand five hundred and ninety-six dollars and fifty-three cents. to be paid on the certificate of the Health Officer; and for the personal services of the said Thomas H. Farron, five thousand dollars.

For the said Board of Commissioners, twelve thou-

sand dollars, for rent and keeping in order of that portion of the quarantine establishment leased by said Commissioners, under the provisions of chapter four hundred and ninety-two of the laws of eighteen hundred and seventy, to be paid only upon statements and estimates being first submitted to and approved by the Comptroller.

For George W. Wilson, lessee of docks at Coney Island, for expenses incurred by him in consequence of the proceedings to take a part of Coney Island for quarantine purposes, under chapter seven hundred and seventeen of the laws of eighteen hundred and sixty-eight, three thousand dollars.

For the Commissioners appointed to confer with the State of New Jersey, in regard to quarantine jurisdiction, boundary line, et cetera, pursuant to section seven of chapter six hundred and thirteen of the laws of eighteen hundred and sixty-five, for compensation and expenses, three thousand dollars.

CHAPTER 722, LAWS OF 1871, ENTITLED

“An act amendatory of and supplemental to the following acts,” namely, an act entitled “An act establishing a quarantine, and defining the qualifications, duties and powers of the Health Officer for the harbor and port of New York,” passed April twenty-ninth, eighteen hundred and sixty-three;

an act entitled "An act in relation to quarantine in the port of New York, and providing for the construction of the permanent quarantine establishment," passed April twenty-one, eighteen hundred and sixty-six ; an act entitled "An act in relation to quarantine in the port of New York, and to amend existing acts relative thereto," passed April twenty-two, eighteen hundred and sixty-nine ; and an act entitled "An act in relation to the sale of the Marine Hospital grounds," passed May nineteenth, eighteen hundred and sixty-eight. Passed April 26th, 1871.

Whereas, In the year eighteen hundred and fifty-two the Commissioners of Emigration of the State of New York held in fee certain lands and buildings on Ward's Island, comprising the State emigrant hospital and refuge establishment, and in trust for the people of this State certain other lands and buildings on Staten Island, comprising the marine hospital and quarantine establishment, of which the said Commissioners then had control ; and

Whereas, The expenses incurred in the management of the said marine hospital were so great as to compel the said Commissioners to mortgage the said lands on Staten Island and Ward's Island for the sum of two hundred thousand dollars. Which mortgage was given with the express consent of the Governor,

Attorney-General and Comptroller of the State, as required by law ; and,

Whereas, By an act passed March six, eighteen hundred and fifty-seven, chapter eighteen, the control of the quarantine establishment was taken from the said Commissioners of Emigration and vested in a Board of Quarantine Commissioners ; and by a further act passed April twenty nine, eighteen hundred and sixty-three, chapter three hundred and fifty-eight, the said Commissioners of Emigration were directed to execute and acknowledge a suitable and proper conveyance to the State of all their right, title and interest in the said lands on Staten Island as held by them in trust and by an amendment to the said last-mentioned act, passed April twenty-five, eighteen hundred and sixty-four, chapter three hundred and ninety-eight, confirmed by an act passed April twenty-second, eighteen hundred and sixty-seven, chapter five hundred and forty-three, "the sum " required and directed to be furnished by the Commissioners of Emigration towards the payment of said mortgage "is fixed at fifty thousand dollars," that sum being deemed the fair proportion thereof which should be paid by them as a condition of having the lands held by them on Ward's Island, and covered by said mortgage, released from the lien thereof ; and,

Whereas, Notwithstanding said apportionment, and

although since the appointment of the Quarantine Commissioners in eighteen hundred and fifty-seven, the said Commissioners of Emigration have derived no benefit from the said quarantine lands on Staten Island, and have been relieved of the duties connected therewith formerly imposed on them, they have, nevertheless, been required to pay out of the fund supplied by emigrants, in accordance with law, the interest on the whole amount of said mortgage of two hundred thousand dollars, of which one hundred and fifty thousand dollars was debt incurred in support of the marine hospital at quarantine and acknowledged as such by the Legislature of eighteen hundred and sixty-four; and,

Whereas, Considerations of justice and public policy alike require that the interest so paid on said sum of one hundred and fifty thousand dollars, should be refunded by the State to the Commissioners of Emigration, in order that the money thus temporarily diverted from the Commutation Fund may be applied to the legitimate purposes contemplated in the establishment of such fund; therefore,

The people of the State of New York, represented in Senate and Assembly, do enact as follows:

SECTION 1. The Lieutenant-Governor, Attorney-General and Comptroller are hereby authorized and directed to examine into the validity and legality of

the claim against the State for the payment of interest by the Commissioners of Emigration, as set forth in the foregoing preamble, and to report to the next legislature whether in their judgment said claim is a legal and valid claim against the State.

SECTION 2. This act shall take effect immediately.

EXTRACT FROM CHAPTER 733, LAWS OF 1872, ENTITLED

“An Act making appropriation for certain expenses of government, and for supplying deficiencies in former appropriations.” Passed May 15, 1872.

For the Commissioners appointed to confer with the State of New Jersey in regard to quarantine jurisdiction, boundary line, etc., pursuant to section seven, chapter six hundred and thirteen, laws of eighteen hundred and sixty-five, for compensation and expenses, three thousand dollars.

For the Heath Officer of the Port of New York, the sum of four thousand dollars, or so much thereof as may be necessary, to pay the salaries of not exceeding four policemen, at quarantine, on the average, during the year eighteen hundred and seventy-two; such policemen may be appointed and dismissed by him at pleasure, and they shall perform patrol and police duty under his direction, in connection with the quarantine establishment, and upon the waters of the Bay of New York, and they shall possess all the

powers possessed by policemen in the cities of New York and Brooklyn ; and any person arrested by either of said policemen for violating any law relating to quarantine in said port, may be taken by him before any court of criminal jurisdiction, or any magistrate or police justice, within the County of Richmond, and thereupon the court, magistrate or police justice, before whom such offender shall be brought, shall have jurisdiction to hear, try and punish the offender for the offense committed by him, in the same manner, and with the like effect, as if the same had been committed within the limits over which such court, magistrate or police justice has jurisdiction to punish for offenses under existing laws.

For the Commissioners of Quarantine, for the payment of existing obligations incurred under the authority for fitting up the hospital ship Illinois, the sum of twenty thousand three hundred and seventy-nine dollars and seven cents ; for repairs on steamboats Andrew Fletcher and Governor Fenton, eleven thousand five hundred and sixteen dollars and eighteen cents; and for indebtedness on account of cholera, seventeen thousand eight hundred and forty-nine dollars and sixty-two cents; for the rent and keeping in order of that portion of the quarantine establishment leased under and in pursuance of the provisions of chapter four hundred and ninety-two

of the laws of eighteen hundred and seventy, the sum of fifteen thousand dollars; for the care and maintenance of the quarantine establishment, and defraying the necessary expenses of said board in the discharge of the duties imposed upon it by law, the sum of fifty-six thousand dollars; and said Commissioners shall also therefrom pay the running expenses of a steamboat for boarding vessels, and transporting the sick and burying the dead.

The Commissioners of Quarantine are hereby authorized and empowered to select a site, to be approved by the Health Officer, for a boarding station for vessels coming from non-infected ports, including, if practicable, a residence for the Health Officer and his deputies, and to purchase or enter into a contract for the purchase of the same, upon such terms and conditions as shall be approved by the Health Officer, and the Commissioners of the Land Office. But such site shall not be located on Long Island or Coney Island.

For the Board of Commissioners constituted by the act entitled "An Act in relation to Quarantine, and providing for the construction of the permanent Quarantine Establishment," passed April twenty-one, eighteen hundred and sixty-six, in addition to existing appropriations, the sum of one hundred and ninety thousand dollars, or such part of said sum as, in the opinion of the Health Officer, may be required

for the following purposes, namely : For the purpose of defraying the necessary expenses of said board in the discharge of the duties imposed upon it by law, and for the erection and equipment of suitable buildings on the island at West Bank, for the reception and care of passengers who may have been exposed to disease, and who may be sent there by the Health Officer; such buildings shall be erected under a contract to be entered into therefor in the manner prescribed in the fourth section of the aforesaid act, passed April twenty-one, eighteen hundred and sixty-six, except that said board shall award the contract to the lowest responsible bidder; but it may in its discretion reject any bid which it may not deem for the interest of the State to accept; and it may also enter into separate contracts for separate portions of said work, and for the necessary care and preservation of the quarantine establishment structures on West Bank Island, provided that the plans for such buildings and the bids for the construction thereof, shall be approved by the present Health Officer.

And the lower of the West Bank islands, built under the direction of Dr. Swinburne, shall hereafter be known and designated as Swinburne Hospital Island.

For the owners of the lands on Staten Island, conveyed to them by the State by Letters Patent dated January fourteen, eighteen hundred and sixty-nine,

the sum of six thousand dollars, or so much thereof as the Comptroller shall ascertain and determine to have been paid by them for interest accruing prior to May first, eighteen hundred and seventy-one, on the mortgage executed by the Commissioners of Emigration on said lands, and for costs and expenses paid by said owners by reason of an action brought to foreclose said mortgage, and for interest on such moneys paid for such interest, costs and expenses of foreclosure from the time of the payment of the same by said owners.

The time for the corporation, formed under the authority of chapter four hundred and ninety-two of the laws of eighteen hundred and seventy, for the erection of warehouses for quarantine purposes to commence its operations is hereby extended for the period of two years from and after the passage of this act; and said corporation shall not be deemed dissolved if it shall commence its operations within that period.

So much of chapter four hundred and ninety-two of the laws of eighteen hundred and seventy as provides for the exemption from taxation of the premises leased for the residences of the Health Officer and his deputies is hereby repealed, and the premises so leased shall be no longer exempt from taxation.

CHAPTER 18, LAWS OF 1873, ENTITLED

“An act to authorize the Commissioners of Quarantine to purchase a steamboat for the use of the quarantine establishment of the port of New York, and making an appropriation therefor.” Passed Feb. 18, 1873.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

SECTION 1. The Commissioners of Quarantine, by and with the approval and under the direction of the Health Officer of the port of New York, are hereby authorized to purchase or procure a steamboat for the use of the quarantine establishment of the port of New York, to take the place of the steamboat Andrew Fletcher, lately destroyed by fire.

§ 2. The Commissioners of the Quarantine are hereby authorized and directed to use the wreck or remains of the Andrew Fletcher in the procuring or construction of the steamboat hereby authorized to be procured or purchased for the purpose herein specified, or to convert the same into money by sale or otherwise, and the proceeds of such disposition or sale shall be paid into the treasury of the State.

§ 3. The sum of thirty thousand dollars, or so

much thereof as may be necessary, is hereby appropriated for the purpose of procuring a steamboat as herein provided, and for the purpose herein designated, and the treasurer is hereby authorized to pay on the warrant of the comptroller, the said sum of thirty thousand dollars, or so much thereof as is necessary, as herein provided, to the Commissioners of Quarantine of the port of New York, but the comptroller shall not draw his warrant unless proper vouchers are produced to him, nor unless he is furnished with satisfactory proof that a suitable and proper steamboat for the purpose herein contemplated has been procured or purchased and is ready for use.

§ 4. This act shall take effect immediately.

EXTRACT FROM CHAPTER 643, LAWS OF 1873, ENTITLED

“An Act to provide for the support of government, and for other purposes.” Passed, May 29, 1873.

For the Commissioners of Quarantine, for salaries, to each of them, two thousand five hundred dollars, pursuant to chapter two hundred and fifty-eight, of the laws of eighteen hundred and sixty-three; and from and after the passage of this act the Board of Commissioners constituted by chapter seven hundred and fifty-one, of the laws of eighteen hundred and sixty-six, is hereby abolished, and the powers and

duties of said board are hereby devolved upon the Health Officer of the Port of New York; and hereafter no moneys appropriated for the completion of the quarantine establishment shall be used for the payment of any salary or compensation of any officer; but shall be devoted exclusively to the purposes for which it is appropriated, and no salary shall be paid to any officer in connection with the quarantine establishment except such as is expressly authorized and provided for by law.

EXTRACT FROM CHAPTER 760, LAWS OF 1873, ENTITLED

“An Act making appropriations for certain expenses of government and supplying deficiencies in former appropriations.” Passed June 13, 1873.

For the Commissioners of Quarantine, for the payment of rent and keeping in order of that portion of the quarantine establishment leased under and in pursuance of the provisions of chapter four hundred and ninety-two of the laws of eighteen hundred and seventy, the sum of fifteen thousand dollars or so much thereof as may be necessary; for the care and maintenance of the quarantine establishment and defraying the necessary expenses of said board (including a clerk, whose salary shall not exceed two thousand dollars a year) in the discharge of the duties imposed upon it by law, the sum of sixty thous-

and dollars, and the said Commissioners shall also pay therefrom the running expenses of a steamboat for boarding vessels and transporting sick and burying the dead; also the taxes which have accrued or may accrue during the present lease of the property. The sum of thirty thousand dollars, or such parts of said sum as in the opinion of said comptroller may be required in addition to the balance of appropriation of one hundred and forty-three thousand one hundred and fifty-four dollars and forty-five cents, by chapter seven hundred and thirty-three of the laws of eighteen hundred and seventy-two, to the Commissioners constituted by the act entitled "An Act in relation to Quarantine and providing for the construction of a permanent Quarantine establishment," passed April twenty-first, eighteen hundred and sixty-six, which amount is hereby re-appropriated, to be expended by said Health Officer of the Port of New York in carrying out the object and purpose of the original appropriation, and for the following expenses: For constructing on Hoffman's Island, cisterns, sewers, water closets, and the general fitting up of wards three, four and five, now in process of construction, and for engineer services and expenses, and also to keep in repair the structure and hospital at Swinburne Island.

For the Health Officer of the Port of New York, the sum of four thousand dollars, or so much thereof as

may be necessary, to pay the salaries of not exceeding four policemen at quarantine, on the average, during the year eighteen hundred and seventy-three. Such policemen may be appointed and dismissed by him at pleasure, and they shall perform patrol and police duty under his direction in connection with the quarantine establishment and upon the waters of the Bay of New York, and they shall possess all the powers possessed by policemen in the cities of New York and Brooklyn; and any person arrested by either of said policemen for violating any law or regulation relating to quarantine, in said port, may be taken by him before any court of criminal jurisdiction, or any magistrate or police justice within the County of Richmond, and thereupon the court, magistrate or police justice, before whom such offender shall be brought, shall have jurisdiction to hear, try and punish the offender for the offense committed by him in the same manner, and with the like effect, as if the same had been committed within the limits over which such court, magistrate or police justice has jurisdiction to punish offences under existing laws; for the payment of the existing obligations incurred under the authority and direction contained in chapter seven hundred and thirty-three, of the laws of eighteen hundred and seventy-two, to enter into the contract for purchasing a site for a boarding station for vessels coming from non-infected

ports, and buildings included therein, these amounts to be expended under the direction and with the approval of the Governor, Health Officer of the Port of New York, and the Board of Commissioners, the sum of sixty thousand dollars, to fulfill the contract heretofore made for the boarding station and buildings included aforesaid for the erection of bulk head, piers and dock, and for obtaining fresh water for steamboat; for grading, for necessary repairs to existing buildings, the further sum of sixty thousand dollars, or so much thereof as may be necessary. The warehouses, docks and wharves authorized to be constructed for quarantine purposes by the corporation, formed under the authority of chapter 492 of the laws of 1870, may be erected at such point or points in the Harbor or Bay of the Port of New York as shall be designated, and upon such plans as shall be approved by the Governor, State Engineer and Surveyor, and Health Officer of the Port of New York, whose duty it shall be to make such designation within four months after the passage of this Act, and said corporation shall not be deemed dissolved if it shall commence its operation within two years after the passage of this Act.

EXTRACT FROM CHAPTER 323, LAWS OF 1874, ENTITLED

“An act making appropriations for certain expenses of government, and supplying deficiencies in former appropriations.” Passed May 5th, 1874.

For the Commissioners appointed to confer with the State of New Jersey in regard to quarantine jurisdiction and boundary lines, pursuant to section seven. chapter six hundred and thirteen of the laws of eighteen hundred and sixty-five, for compensation and expenses, one thousand dollars each.

For the Board of Commissioners of Quarantine, for the care and maintenance of the quarantine establishment and defraying the necessary expenses of said Board in the discharge of duties imposed upon it by law, the sum of fifty-five thousand dollars ; and said Commissioners shall also pay therefrom the running expenses of a steamboat for boarding vessels and the expenses of transporting the sick and burying the dead.

For the Health Officer of the port of New York, the sum of four thousand dollars, or so much thereof as may be necessary, to pay the services of not exceeding four policemen at quarantine, on the average, during the year eighteen hundred and seventy-four. Such policemen may be appointed and dismissed by him at pleasure ; and they shall perform patrol and police duty under his direction in connection with the

quarantine establishment and upon the waters of the bay of New York; and they shall possess all the powers possessed by policemen in the cities of New York and Brooklyn. And any person arrested by either of said policemen for violating any law or regulation relating to quarantine in said port may be taken by him before any court of criminal jurisdiction or any magistrate or police justice within the county of Richmond, and thereupon the court, magistrate or police justice before whom such offender shall be brought, shall have jurisdiction to hear, try and punish the offender for the offense committed by him in the same manner and with the like effect as if the same had been committed within the limits over which such court, magistrate or police justice has jurisdiction to punish for offenses under existing laws. And for fencing the State property at Seguin Point, and for repairing and keeping in order the burial place of the quarantine dead, the sum of one thousand dollars, or so much thereof as may be necessary; and for the completion of the boarding station at Clifton, Staten Island, in addition to the appropriation therefor made by chapter seven hundred and sixty of laws of eighteen hundred and seventy-three, the further sum of fifteen thousand dollars, or so much thereof as may be necessary, to be expended under the direction and with the approval of the Governor, Comptroller of the State, Health Officer of the port of New York and the Commissioners of Quarantine.

EXTRACT FROM CHAPTER 398, LAWS OF 1874, ENTITLED

“An act to provide for the support of government, and for other purposes.” Passed May 9th, 1874.

For the Commissioners of Quarantine, for salaries to each of them, two thousand five hundred dollars, pursuant to chapter three hundred and fifty-eight of the laws of eighteen hundred and sixty-three. And hereafter no moneys appropriated for the completion of the quarantine establishment shall be used for the payment of any salary or compensation of any officer, but shall be devoted exclusively to the purposes for which it is appropriated ; and no salary shall be paid to any officer in connection with the quarantine establishment, except such as is expressly authorized and provided for by law.

EXTRACT FROM CHAPTER 634, LAWS OF 1875, ENTITLED

“An act making appropriations for certain expenses of government, and supplying deficiencies in former appropriations.” Passed June 21, 1875.

For the Health Officer of the port of New York, the sum of four thousand dollars, or so much thereof as may be necessary to pay the services of not exceeding four policemen at quarantine, on the average, during the year eighteen hundred and seventy-five. Hereafter such policemen may be appointed and dis-

missed by him at pleasure; and they shall perform patrol and police duty under his direction in connection with the quarantine establishment and upon the waters of the bay of New York; and they shall possess all the powers possessed by policemen in the cities of New York and Brooklyn; and any person arrested by either of said policemen for violating any law or regulation relating to quarantine in said port, may be taken by him before any court of criminal jurisdiction, or any magistrate within the county of Richmond; and thereupon the court or magistrate before whom such offender shall be brought shall have jurisdiction to hear, try and punish the offender for the offense committed by him in the same manner and with the like effect as if the same had been committed within the limits over which such court or magistrate has jurisdiction to punish for offenses under existing laws.

The corporation formed under and pursuant to the authority of chapter four hundred and ninety-two, of the laws of eighteen hundred and seventy, for the purpose of constructing warehouses, docks and wharves, for quarantine purposes, in the Bay of New York, the plans for which and the location of said warehouses, docks and wharves having been recently made and determined by the Governor, State Engineer and Surveyor, and Health Officer of the Port of New York, under and pursuant to chapter seven hun-

dred and sixty, of the laws of eighteen hundred and seventy-three, shall not be deemed dissolved if it shall commence its operation within two years from the passage of this act.

For the Board of Commissioners of Quarantine, for the care and maintenance of the quarantine establishment, and defraying the necessary expenses of said board in the discharge of duties imposed upon it by law, fifty thousand dollars, or so much thereof as may be necessary.

For the Commissioners appointed to confer with the State of New Jersey in regard to quarantine jurisdiction and boundary lines, pursuant to section seven, chapter six hundred and thirteen, of the laws of eighteen hundred and sixty-five, for compensation and expenses, one thousand dollars each.

The Board of Commissioners of Quarantine are hereby authorized and required to select and procure a new burying ground as near to the West Bank Hospital as practicable, and on the approval by the Governor, of such selection and of the price to be paid therefor, not to exceed the appraised value of the burying ground at Seguin's Point, as hereinafter provided, may purchase the same and transfer thereto the remains of all persons buried in the burying ground at Seguin's Point, but such site shall not be located within the limits of Kings, Queens or Suffolk counties. As soon as such selection and transfer

shall be made, they shall certify that fact to the Commissioners of the Land Office, who are hereby directed in advance of such purchase to cause an appraisal of the value of said burying ground at Seguin's Point to be made, and thereafter to sell and dispose of the same at public auction to the highest bidder, in the same manner as they are now authorized by law to sell other State lands, and as soon as such purchase is made such transfer of bodies shall take place.

EXTRACT FROM CHAPTER 193, LAWS OF 1876, ENTITLED

“An Act making appropriations for certain expenses of government and supplying deficiencies in former appropriations.” Passed May 1, 1876.

For the Board of Commissioners of Quarantine, for the care and maintenance of the quarantine establishment, the sum of ten thousand dollars or so much thereof as may be necessary, to be expended for repairs, for clerk and superintendent hire and office rent All other expenses of the quarantine establishment, incurred by the Health Officer, including the running and repairs of the steamboats and mooring hospital ship, but excepting the salaries of the Commissioners of Quarantine, shall be borne and paid by such Health Officer.

The Health Officer shall appoint at least four po-

licemen, whose services shall be paid for by him, and may dismiss them or either of them at pleasure, and appoint others in their places. Such policemen shall perform patrol and police duty under the direction of the Health Officer, in connection with the quarantine establishment and upon the waters of the Bay of New York, and they shall possess all the powers possessed by policemen in the cities of New York and Brooklyn. and any person arrested by either of said policemen for violating any law or regulation relating to quarantine, in said port, may be taken by him before any court of criminal jurisdiction, or any magistrate or police justice within the County of Richmond, and thereupon the court, magistrate or police justice before whom such offender shall be brought, shall have jurisdiction to hear, try and punish the offender for the offense committed by him in the same manner and with the like effect as if the same had been committed within the limits over which such court, magistrate or police justice has jurisdiction to punish for offences under existing laws.

EXTRACT FROM CHAPTER 275, LAWS OF 1877, ENTITLED
“An Act making appropriations for certain expenses
of government and supplying deficiencies in former
appropriations. Passed May 16, 1877.

For the Board of Commissioners of Quarantine, for the care and maintenance of the quarantine establishment, the sum of ten thousand dollars, or so much thereof as may be necessary, to be expended for repairs, for clerk and superintendent hire, and office rent.

The following provision of chapter four hundred and ninety-two, of the laws of eighteen hundred and seventy, namely : “And to enable the Health Officer to enforce that sanitary discipline among the employees of said establishment, which is necessary to the prompt and efficient discharge of his duties, all of said employees, as well as all persons required by law to be licensed for service under quarantine, shall be selected and licensed, and may at pleasure be dismissed by him, and the compensation and charges for services of all persons so selected or licensed, shall be fixed and determined, by said Commissioners, in conjunction with the Health Officer, the Mayor of the City of New York, the President of the Board of Aldermen of said city, and the Mayor of the City of Brooklyn, is hereby repealed.

The Corporation formed under and pursuant to the

authority of chapter four hundred and ninety-two, of the laws of eighteen hundred and seventy, for the purpose of constructing warehouses, docks and wharves, for quarantine purposes in the Bay of New York, shall not be deemed dissolved if it shall commence its operations within two years from the passage of this act.

EXTRACT FROM CHAPTER 252, LAWS OF 1878, ENTITLED

“An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations.” Passed May 13, 1878.

For the Commissioners of Quarantine, for repair of rip-rap or sea-wall of Swinburne Island, repair of machinery and dock, and for painting; for repairs of roof of buildings on Hoffman Island and for painting; for repairs of boiler of steamer N. K. Hopkins, and for painting the steamer; for repairs of the steamer Illinois and the residence of the Health Officer; twenty thousand dollars. And for the care and maintenance of the quarantine establishment, ten thousand dollars.

EXTRACT FROM CHAPTER 272, LAWS OF 1879, ENTITLED
“An act making appropriations for certain expenses
of government and supplying deficiencies in former
appropriations.” Passed May 13, 1879.

For the Commissioners of Quarantine, for deficiency in appropriations for repairs of the quarantine steamboat, the hospital ship Illinois, the boiler and engine of the steamboat N. K. Hopkins, and the seawall of Swinburne Island, the sum of three thousand three hundred and seven dollars and fifty-two cents ; and for the care, maintenance and repair of the quarantine establishment, seventeen thousand five hundred dollars.

The Commissioners of Quarantine are hereby authorized in their discretion, but with the approval of the Comptroller, to sell the steamboat N. K. Hopkins, and out of the proceeds of the sale thereof to purchase a smaller steamboat for the use of the quarantine establishment, at a cost not to exceed six thousand five hundred dollars, and the remainder of such proceeds to be paid into the treasury of the State.

The corporation formed under and pursuant to the authority of chapter four hundred and ninety-two of the laws of eighteen hundred and seventy, for the purpose of constructing warehouses, docks and wharves for quarantine purposes in the bay of New York, shall not be deemed dissolved if it shall com-

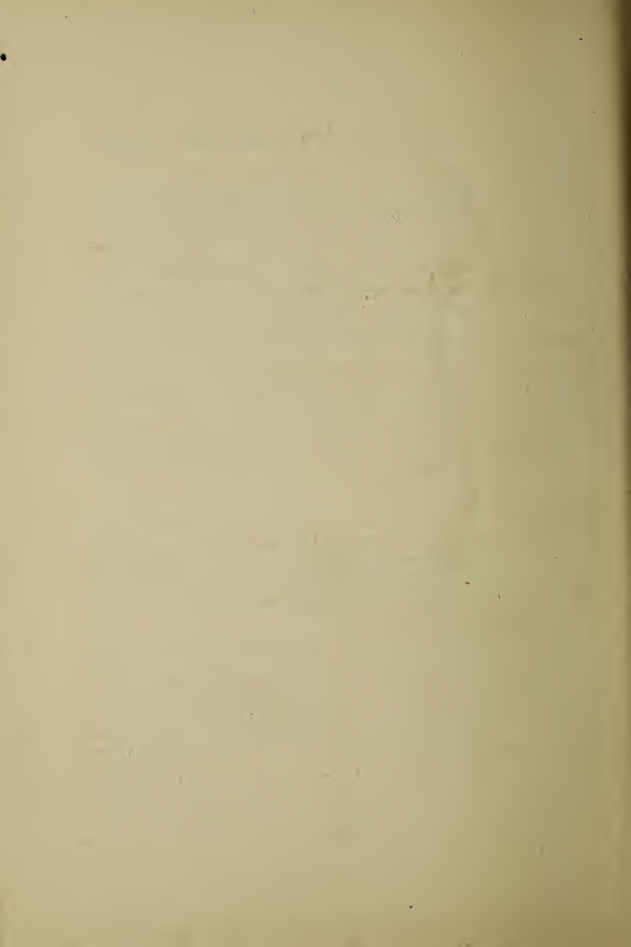
mence its operation within two years from the passage of this act.

The Commissioners of Quarantine are hereby authorized, in their discretion, to select a proper plot for a new burying-ground, and to report their selection to the Commissioners of the Land Office. The Commissioners of the Land Office are hereby authorized and empowered to acquire the lands so selected in the same way that land is taken for railroad purposes, and to make compensation to the owner or owners of such land ; but it is hereby provided that such compensation shall not exceed the amount realized from the sale of the burying-ground now belonging to the State at Seguin's Point.

EXTRACT FROM CHAPTER , LAWS OF 1880, ENTITLED

“An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations.” Passed

For the Commissioners of Quarantine, for repairs of the hospital-ship Illinois and the steamboat N. K. Hopkins, ten thousand dollars ; and for care, maintenance and repair of the quarantine establishment, fifteen thousand dollars.



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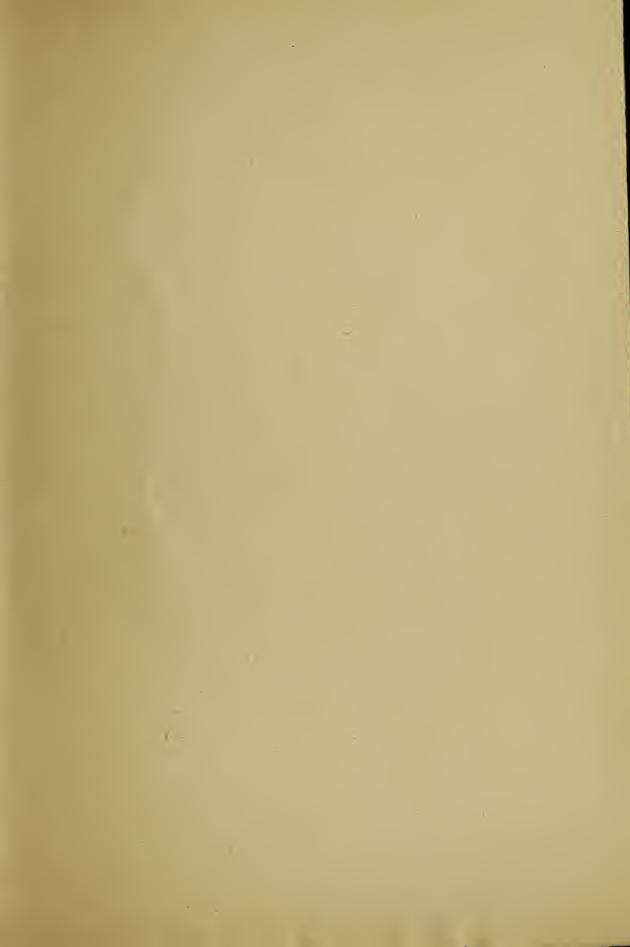
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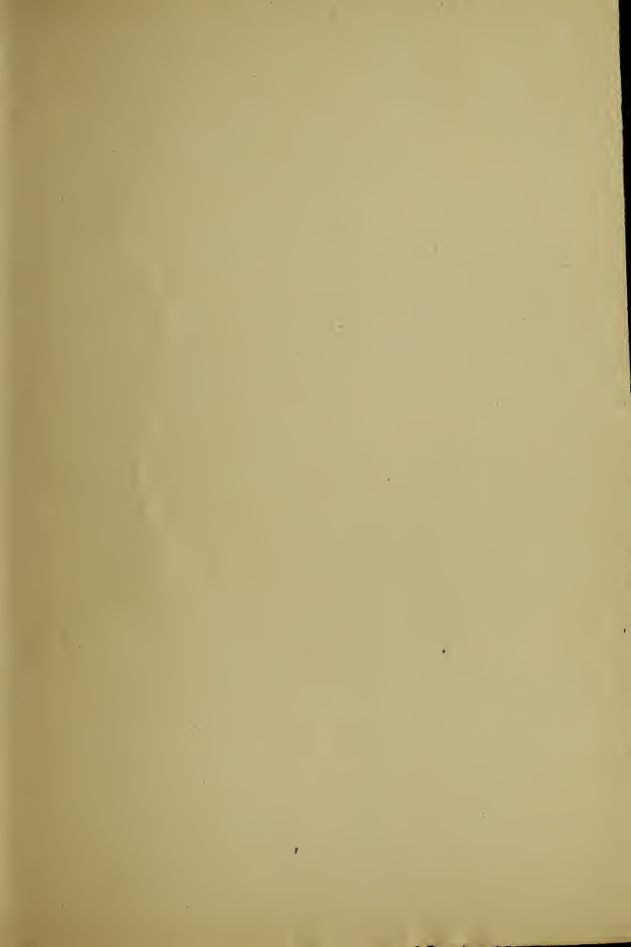
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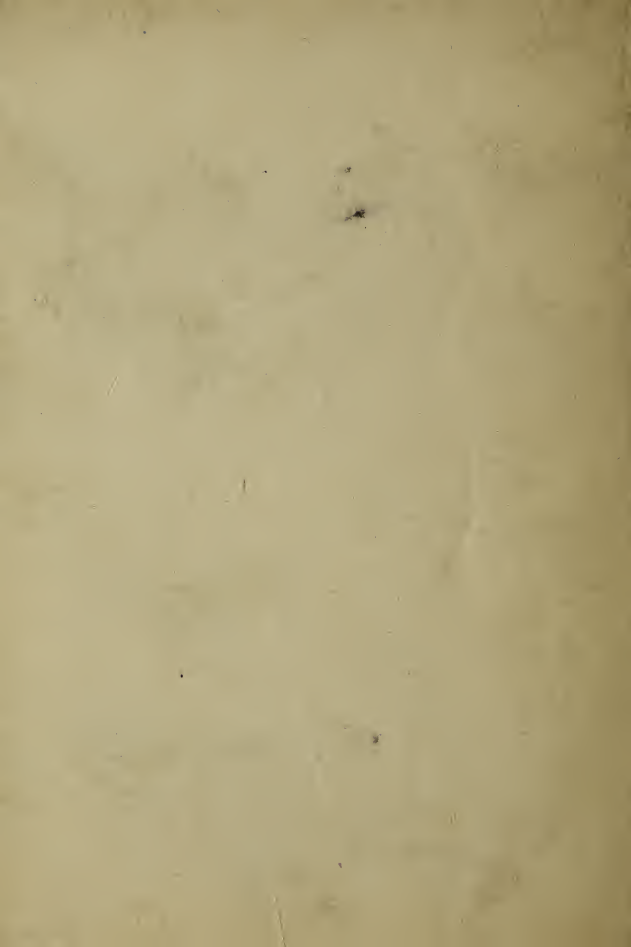
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GAYLORD BROS.

MAKERS

SYRACUSE - N.Y.

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